

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL WRIT PETITION NO.253/2020

Shri Kiran Umraji Kaithe,
aged about Major,
Bandi No.C-5518,
R/o at present Central Jail,
Nagpur.

..Petitioner.

..Vs..

1. The State of Maharashtra,
through its Secretary,
Home Department, Mantralaya,
Mumbai - 32.
2. Incharge General (Prison),
Amravati Jail.

..Respondents.

Shri S.M. Thakre, Advocate (appointed) for the petitioner.
Shri A.S. Fulzele, Additional Public Prosecutor for respondent Nos.1 and 2.

CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE , JJ.
DATED :- 1.3.2021

ORAL JUDGMENT *(Per Sunil B. Shukre, J.)*

1. Heard. **Rule.** Rule made returnable forthwith. Heard finally by consent.

2. The petitioner is only demanding permission to use the coin box facility in accordance with the circular dated 12.2.2019. It is

the case of the petitioner that he does not belong to any of the prohibited categories mentioned in circular dated 12.2.2019 in order that he may not avail of the coin box facility. It is his submission that he has been convicted only for an offence punishable under Section 302 of the Indian Penal Code and that he has not been convicted for any offence which has been connected in any manner with a gang of criminals and much less those punishable under the provisions of Maharashtra Control of Organised Crimes Act.

3. In these circumstances, we direct the respondents to verify as to whether or not the petitioner is eligible for using the coin box facility in accordance with circular dated 12.2.2019 and if it is found that he is indeed eligible, same may be made available to him in accordance with Rules.

4. Similar order has been passed by this Court in Criminal Writ Petition No.1031/2019 (Dhirendera Vijay Yadav V/s. Dy. Director General of Police, Prison and Reformation, Maharashtra State, Pune and others) decided on 2.1.2020.

5. The petition is allowed in the above terms. Rule accordingly.

6. Legal remuneration of ₹ 2,500/- (₹ Two Thousand Five Hundred Only) be paid to the learned Advocate for the petitioner.

JUDGE

JUDGE

Tambaskar.