

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO.569 OF 2020

1.Sagar Vijay Harode,
Aged about 27 years,
C-9150, Nagpur Central
Prison.

2.Aakash Bhayyalal Suryavanshi,
Aged about 29 years, C-9151,
Nagpur Central Prison.

..... PETITIONERS

// VERSUS //

1.State of Maharashtra,
Through Secretary,
Development of Home,
Mantralaya, Mumbai-400 032.

2.The Superintendent,
Nagpur Central Prison,
Nagpur.

..... RESPONDENTS

Ms M.K.Dharmadhikari, Advocate (appointed) for the petitioners.
Mrs.N.R.Tripathi, A.P.P. for respondent nos. 1 & 2.

CORAM : SUNIL B. SHUKRE &
AVINASH G. GHAROTE, JJ.

DATE : 2.3.2021.

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

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

2. The issue involved in this petition is squarely covered by the view taken by this Court on dated 15.2.2021 in the case of **Ramu Rangrut Madkam .vs. The Deputy Inspector General of Prisons (East Zone), Nagpur**, Criminal Writ Petition No.32 of 2021. Accordingly, we allow the present petition and quash the impugned opinion.

The matter is remanded back to the concerned Additional Sessions Judge i.e. District Judge-11 and Additional Sessions Judge, Nagpur, for recording his opinion by bearing in mind the principles laid down by us in the afore-stated case of **Ramu**

Rangrut Madkam, within three weeks from the date of order and send it to the Superintendent, Nagpur Central Prison within three weeks thereafter from the date of order.

Legal remuneration of **Rs.2,500/-** be paid to the learned Counsel (appointed) for the petitioners.

JUDGE

JUDGE

[jaiswal]

Suraj
Jaiswal

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by Suraj Jaiswal
Date:
2021.03.02
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