

THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.720/2021

Ajit s/o Chandrakant Rane .vs. Superintendent of Jail, Central Prison,
Amravati, Dist. Amravati.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms S. B. Khobragade, Advocate for petitioner.
Mrs. N. Tripathi, A.P.P. for respondent.

CORAM : V.M. DESHPANDE AND
AMIT B. BORKAR, JJ.

DATED : OCTOBER 7, 2021

By this petition under Articles 226 and 227 of the Constitution of India, the petitioner is seeking direction against the respondent-authority to release him on emergency Covid-19 parole.

The petitioner is convicted for the offence under Section 302 of the IPC and also under the provisions of the MCOC Act, 1999. The petitioner has completed sentence of nine years.

The petitioner has applied for his release relying on Rule 19 (1) (c) (ii) of the Rules of 1959. It is stated that the request of the petitioner has been rejected on the ground that the petitioner is being convicted for the offences under the MCOC Act.

We have carefully considered the averments in the petition. It is an undisputed fact that the petitioner is a convict under the MCOC Act. The issue involved in this

writ petition is no more res integra in view of judgment in *Pinto Uttam Sonale .Vs. State of Maharashtra;* reported in *2020 (6) Mh.L.J. 627.* This Court in the said judgment has taken a categorical view that the persons who have been convicted under the special Act are not entitled for being released on emergency parole.

There is no merit in the petition. The same is therefore rejected.

JUDGE

JUDGE

kahale