

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 CRIMINAL WRIT PETITION NO.932 OF 2022

NILESH @ BANTI SUKLAL KAROSIYA (C-06)
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mrs. Gunjal Bharati B.
APP for the respondent – State : Mr. S.J. Salgare
...

**CORAM : MANGESH S. PATIL &
SANDIPKUMAR C. MORE, JJ.**

DATE : 14 OCTOBER 2022

PC :

Heard both sides.

2. The request of the petitioner for premature release has been turned down by the impugned order dated 06-08-2018.

3. Referring to the decision of this Court (Nagpur Bench) in the matter of Naresh S/o Suklal Karosiya Vs. State of Maharashtra and another) (Criminal Writ Petition no. 40 of 2020) dated 25 February 2020, the learned advocate for the petitioner submits that as was directed in that matter, even present petitioner's claim would fall under category 4(c) of the guidelines dated 15 March 2010.

4. The learned APP by referring to the FIR and particularly, paragraph no. 11, would submit that the State is obeying the order of the Nagpur Bench (supra) and considering the case of the present petitioner under category 4(c).

5. In view of such a stand being taken, we allow the writ petition, quash and set aside the impugned order and remit the matter back for reconsideration of the petitioner's request for premature release by considering his case as one falling under category 4(c) of the guidelines dated 15-03-2010 within six weeks.

6. Writ petition is disposed of.

[SANDIPKUMAR C. MORE]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/