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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5244 OF 2018**

Ramesh Maruti Patil

.. Petitioner

Versus

The Desk Officer and Anr.

.. Respondents

None for Petitioner.

Mr. H. J. Dedhia, APP for State.

**CORAM : A. S. GADKARI &
MILIND N. JADHAV, JJ.**

DATE : 29th September, 2022.

P.C.:

. By the present Petition, Petitioner has impugned Order dated 23.06.2016 passed by the Superintendent, Kolhapur Central Prison, Kalamba thereby deducting 195 days of remission from his total remission.

2. Record indicates that, by an Order dated 28.01.2014, Petitioner was granted parole leave of 30 days i.e. from 28.02.2014 to 29.03.2014. He was released from jail on 29.02.2014 and was supposed to surrender to the jail authorities on 30.03.2014. However, he himself surrendered 39 days late i.e. on 08.05.2014.

3. Record further indicates that, this was 5th time, Petitioner surrendered late after released on parole/furlough leave. A show cause notice was accordingly issued to the Petitioner on 14.05.2014 to

which he gave reply on 19.05.2014. The Competent Authority has considered the said reply and thereafter passed impugned Order.

4. As noted earlier, it is an admitted fact on record that, it was 5th time when the Petitioner reported to jail authorities late and therefore as per Rule No. 48 of Prison Manual, the Competent Authority has applied the ratio of 1:5 i.e. 39 days X 5=195 days cut in remission.

5. Perusal of impugned Order indicates, it does not suffer from any error and has been passed as per the settled principals of law.

We find no merits in the Petition and is accordingly dismissed.

[MILIND N. JADHAV, J.]

[A. S. GADKARI, J.]