

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 213 OF 2022

Mukund Rambhau Sakhare ... Petitioner
Versus
Director General of Police and Anr. ... Respondents

Mr. Priyal G. Sarda, for the Petitioner.
Ms. M. H. Mhatre, APP for the Respondent – State.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 19th SEPTEMBER, 2022.

P. C. :

Learned APP appearing on behalf of the respondent-State, on instructions, states that the impugned order dated 21st June, 2022 passed by the Additional Director General of Police(Prison), Maharashtra State-Pune -1, be quashed and set aside and the matter be remitted back to the Additional Director General of Police (Prison), Maharashtra State-Pune-1, for deciding the same afresh.

2 In view of the said statement made by the learned APP, on instructions, the impugned order dated 21st June, 2022 passed by the Additional Director General of Police (Prison), Maharashtra State-Pune-1 is quashed and set aside and matter is remitted back to the

Additional Director General of Police (Prison), Maharashtra State-Pune-1, for deciding the Appeal filed by the Petitioner afresh, on its own merits, uninfluenced by its earlier order dated 21st June, 2022.

3 It is open for the petitioner to place on record before the Appellate Authority, the additional affidavit filed before this Court dated 15th September, 2022 by the petitioner's son.

4 We make it clear that we have not heard the Petition on merits.

5 The Appellate Authority shall also bear in mind the Order dated 9th June, 2022 passed by this Court in Criminal Writ Petition No. 213 of 2022 filed by the Petitioner, in particular, para 4 of the said order.

6 Petition is disposed of accordingly.

7 All concerned to act on the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.

REKHA
PRAKASH
PATIL

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by REKHA
PRAKASH PATIL
Date: 2022.09.22
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Rekha Patil

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