

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5773 OF 2021**

Kamal Mayaram Kanojia

...Petitioner

V/s.

The State Of Maharashtra

...Respondent

Mr. Amit A. Mane, Appointed Advocate for Petitioner.

Mrs. S.D. Shinde, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 2nd DECEMBER, 2022.****P.C.:-**

1. By the present Petition, the Petitioner has sought relief of his premature release from Jail. Petitioner is convicted for offences punishable under Sections 302, 392, 394 and 450 read with Section 34 of Indian Penal Code (IPC) and sentenced to suffer rigorous imprisonment for life and other sentences on different counts by the Trial Court.

2. Learned A.P.P. on instructions from Senior Jailor, Taloja Central Prison, Navi Mumbai submitted that, the Government of Maharashtra, Home Department, Mumbai has considered the case of Petitioner as contemplated under Section 432 of Code of Criminal Procedure and as per the Guidelines dated 15th March, 2010 issued by the Government of Maharashtra, Home Department, Mumbai, the Petitioner has been placed in

category 4(E) by its Order dated 30th November, 2022. Therefore the Petitioner will have to undergo 26 years of imprisonment including remissions.

3. In view of the above, the grievance of Petitioner as of today does not survive. Petition is accordingly disposed off.

4. However, Petitioner is granted liberty to challenge Order dated 30th November, 2022, thereby placing him in category 4(E) of the Guidelines dated 15th March 2010 issued by the Government of Maharashtra, Home Department, Mumbai, if he is aggrieved by the same.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)