

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2417 OF 2021**

Shaikh Lalbaba Mohd. Hussain

....Petitioner

Versus

The State of Maharashtra

....Respondent

Mr. Mohansinh Umeshsinh Rajput, Advocate for the Petitioner(Appointed from Legal Aid Panel).

Mr. J. P. Yagnik, APP for the State.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 18th APRIL, 2022.

P.C. :

1. Learned counsel appointed for the petitioner submitted that the petitioner is an undertrial prisoner presently lodged in Nashik Road Central Prison. It is however submitted by Mr.Rajput, learned appointed counsel that the prisoners have been granted facility having telephonic conversation with their relatives on periodical basis. Due to outbreak of Covid – 19 pandemic, the facility was suspended for some time and subsequently the facility was made available through public phone call/coin box facility free of cost. Mr. Rajput submitted that the petitioner so as to avail the facility had submitted details of mobile phone to the prison authorities for verification and, for considerable length of period, there was no report of verification due to which the petitioner was deprived of availing the facility.

2. It seems that the copy of the letter forwarded to this Court was also forwarded to the Office of the Public Prosecutor. Learned APP has placed on record, a copy of the communication dated 17th November, 2020, issued by API, Valsang Police Station. Perusal of this communication shows that the said contact number is verified by the police authorities and this verification report was also informed to the petitioner and the petitioner in turn on 28th March, 2022, submitted a letter to the Registrar informing that the grievance raised by the petitioner no more survives. As such, he may be permitted to withdraw the writ petition.

3. Considering the above referred facts and particularly as the grievance of the petitioner, no more survives, the petition is allowed to be withdrawn and is disposed of, as such.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)