

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2183 OF 2022

Manojkumar @ Gabbar Satyanarayan Paswan .. Petitioner

v/s.

The State of Maharashtra & Anr. .. Respondents

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Mr. S.T. Pandey, a/w. Ms. Ahima Mishra, i/b. SBG Law Advocates, for
the Petitioner.

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

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CORAM: NITIN JAMDAR &
ARUN R. PEDNEKER, JJ.

DATE : 21 JULY 2022.

P.C:-

After having heard the learned Counsel for the parties, we
had passed the following order on 6 July 2022:

*“ By this Petition, the Petitioner is seeking to quash
and set aside the order of removal of his name from
remission register permanently dated 21 November
2018.*

*2. As regard the report of the Jail Authorities upon
which the impugned order is also based, prima facie it
does not deal with the explanation given by the
Petitioner for overstay of 842 days.*

3. The learned APP states that even assuming it to be so, what is the report received from the concerned Court will also have to be seen and seeks time to place the same on record.

4. At his request, stand over to 14 July 2022.”

2. The learned APP has placed on record copy of the report received from the District and Sessions Judge, Nasik. In this report also, we find no guidance as to why the Petitioner's explanation is not satisfactory. Again, one line statement is made that it is not satisfactory.

3. In light of the order passed on 6 July 2022, we dispose of this petition directing the Respondent Authorities to pass a fresh order considering the prayer of the Petitioner in the context of the explanation given by the Petitioner for the overstay and dealing with the same. The same shall be done within period of two weeks.

4. We make it clear that we have not commented on the merits of the explanation.

5. With these observations and directions, the writ petition is disposed of.

(ARUN R. PEDNEKER, J.)

(NITIN JAMDAR, J.)