

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2025 OF 2014**

Afzal Khan Nabi Khan

... Petitioner

V/s.

The State Of Maharashtra

... Respondents

Mr. Swapnil Ovalekar Appointed Advocate for Petitioner.

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

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.****DATE : 28th SEPTEMBER, 2022.****PC. :**

1. The request/prayer of the Petitioner is that, the State should provide spacious grounds for sports and exercise, auditoriums, small stadiums for recreation programs/functions on auspicious days like Independent Day and Republic Day in jail, is contrary to the Rules and Regulations framed thereof under the Prisons Act.

It is for the State and the legislature to decide for the same. Petitioner is an under trial prisoner and he can not be elevated to the status of a tourist in jail.

2. We therefore find there are no merits in the Petition and is accordingly disposed off.

[MILIND N. JADHAV, J.]**[A.S. GADKARI, J.]**