

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

WRIT PETITION NO. 2340 OF 2021

Rahematali Mohd. Umar Shaikh	...Petitioner
vs.	
The State of Maharashtra	...Respondent

Ms. Manish Devkar - Advocate for the Petitioner (appointed advocate)
Mr. J. P. Yagnik - APP for the Respondent-State

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

DATE : 05th APRIL, 2022

P. C. :-

1. A limited grievance raised in the Petition. The counsel appointed for the Petitioner by inviting our attention to the letter Petition submits that the Petitioner-Convict No. 7455 presently lodged in Nashik Road Central Prison, Nashik prayed for pre-mature release. The proposal accordingly was forwarded to the office of Deputy Inspector General prison on 27/12/2018 vide communication outward no. 25.053 of 2018 through the office of the Inspector General Prison and it is further submitted to this Court, on instructions, that the Petitioner by availing the emergency Covid parole leave is released from the prison on 21/06/2021.

2. In turn the proposal was submitted to learned Sessions Judge, Dindoshi seeking the appraisal being a pre-requisite, for placing the

matter before the advisory board. The communication received by the Registry on 21/10/2020 through the Superintendent Prison. In the said communication, it is stated that the appraisal of the learned Sessions Court is awaited.

3. In view of these facts, we deem it appropriate to dispose the petition with following directions:

- (i) The Superintendent Nashik Road Central Prison, Nashik to forward reminder communication to the District and Sessions Court, Dindoshi within one week from today.
- (ii) On receipt of the said communication, the learned District and Sessions Court at Dindoshi to forward appraisal as expeditiously as possible and not later than three weeks from the date of receipt of the reminder communication from Superintendent Nashik Road Central Prison.

4. The learned counsel appointed for the Petitioner as well as learned APP to act upon authenticated copy of this Order issued by this Court.

5. The Registry to communicate the Order of this Court to Registrar of District and Sessions Court, Dindoshi.

6. The fees of the learned counsel appointed for the Petitioner be paid as per the rules.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)