

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.928 OF 2014

Pratik Manohar Shivpuje : Petitioner
Versus
The Secretary Ministry of Home
Mantralaya Mumbai and ors. : Respondents.

WITH
CRIMINAL WRIT PETITION NO.2743 OF 2015

Pratik Manohar Shivpuje : Petitioner/Applicant.
Versus
Assistant Commissioner of Police : Respondent.

ALONG WITH
CRIMINAL APPLICATION NO.432 OF 2015
IN
CRIMINAL WRIT PETITION NO.2743 OF 2015

Pratik Manohar Shivpuje : Petitioner/Applicant.
Versus
The State of Maharashtra : Respondent.

WITH
CRIMINAL WRIT PETITION NO.2744 OF 2015

Pratik Manohar Shivpuje : Petitioner/Applicant.
Versus
Assistant Commissioner of Police : Respondent.

Through Jail – None for the Petitioner.
Mr. K V Saste, APP for the Respondent/State.

CORAM : S. S. SHINDE,
MILIND N. JADHAV, JJ
DATE : 10th June 2022

P.C.

1 The Petitioner is seeking direction to the Respondent/Authority to

give him lock-up register/station diary entry. The learned APP for the Respondent/State submits that, in view of relevant prison rules i.e. Maharashtra Prison Manual, 1979, such a prayer cannot be acceded to.

2 In our opinion, if the information was sought under the Right to Information Act, and on refusal of giving such information by the Respondent officials, it was open for the Petitioner to avail of appropriate remedy as is available under the Right to Information Act. It is as rightly submitted by the learned APP for the Respondent/State that, such an information cannot be given in view of the relevant provision. In that view of the matter, we are not inclined to exercise extra-ordinary writ jurisdiction and accede to the prayer of the Petitioner. Hence the said prayer is rejected. However, it would be open for the Petitioner to avail of appropriate remedy as is available under the Right to Information Act.

3 Another grievance raised by the Petitioner in connected Petition that proper diet/food is not being provided to the inmates and only one fruit bananas are made available to the inmates. The concerned officials are directed to look into such grievance and keeping in view the provisions of jail manual, redress the grievances of the Petitioner and other inmates, if not redressed.

4 In so far as the another prayer of the Petitioner for expeditious trial of the offences under MCOC Act is concerned, this Court is not aware about pending of the cases of the said category. Therefore, the concerned court shall decide the pending cases in which the Petitioner is a party expeditiously but as per seniority.

5 With the above observations, the Writ Petitions stand disposed of.

6 In view of the disposal of the Writ Petition No.2743 of 2015, the Criminal Application No.432 of 2015 does not survive and the same is disposed of accordingly.

7 The Registry of this Court shall send a copy of this order to the concerned authority who in turn communicate the same to the Petitioner.

[MILIND N. JADHAV, J]

[S. S. SHINDE , J]