

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3715 OF 2014

Nasim Ahmed Habib Ahmed Khan Though
His mother Rahishan Khan : Petitioner

Versus

The State of Maharashtra : Respondent

None for Petitioner.
Mr. K. V. Saste, APP for Respondent/State.

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CORAM : S. S. SHINDE,
MILIND N. JADHAV, JJ.
DATE : 6th JUNE, 2022

P.C.

1. Heard.
2. By this petition the petitioners prays his transfer from Nashik Central Prison to the Muradabad Central Prison, Uttar Pradesh.
3. Perused the contents of the application addressed by the mother of the petitioner to the Hon'ble the Chief Justice of this Court.
4. It is stated in the said application that since she is poor and aged woman it is difficult to travel to Amaravati which is a long distance, due to financial crises. Therefore, a request was made by her to transfer her son Nasim Ahmed Habib Ahmed to Jail situate at Muradabad, Uttar Pradesh from Nashik Central Prison.

5. Learned APP appearing for the respondent/State has tendered across the bar a report of the Superintendent of Nashik Road Central Prison, Nashik. The same is taken on record and marked 'X' for identification.

6. Upon perusal of the contents of the said report it appears that the petitioner has now been transferred to the open prison at Amaravati. It further appears that the petitioner was released on parole on 03.11.2011 however he did not surrender in time and he returned back to the jail authority by 5 days late. The petitioner was again released on 06.06.2014. However, that time also he did surrender in time. The petitioner has now been transferred to the open prison at Amaravati as mentioned in the report.

7. So far prayer of the petitioner that he may be transferred from Amravati jail to Muradabad Central Prison is concerned, the concerned authority shall consider the said request, keeping in view of the relevant procedure and guidelines issued by the State Government and take appropriate decision as expeditiously as possible, if already not taken within three months from today.

8. With the above directions, the writ petition stands disposed of.

9. Registry shall send copy of this order to the concerned Jail Superintendent, who in turn shall communicate the same of the petitioner.

[MILIND N. JADHAV, J]

[S. S. SHINDE , J]