

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4234 OF 2014

Balu @ Baliram Bhau Panhalkar

.. Petitioner

Versus

The Superintendent of Prison

.. Respondent

-
- None for the Petitioner
 - Mr. K.V. Saste, APP for the State
-

CORAM : S.S. SHINDE &
MILIND N. JADHAV, JJ.

DATE : JUNE 07, 2022

P.C.:

1. The request of the Petitioner before the authority was to transfer him in open prison.
2. Learned APP submits that as the Petitioner was convicted for the offence punishable under section 376 of IPC, he was not entitled to be considered for transfer to open prison and accordingly, the concerned Authority did pass the order.
3. In our opinion there is an impediment in the procedure to transfer the Petitioner to open prison being convicted for the offence punishable under section 376 of IPC. In view thereof, the prayer of the Petitioner cannot be considered.
4. In view of the above, the writ petition stands rejected.
5. Registry shall send a copy of this order to the concerned Jail

authorities who in turn shall communicate the same to the Petitioner.

[MILIND N. JADHAV, J.]

[S.S. SHINDE, J.]

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