

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4530 OF 2015

Sunil Sridhar Ghadshi

.. Petitioner

Versus

The State of Maharashtra

.. Respondent

-
- Through Jail - None present for the Petitioner
 - Smt. A.S. Pai, APP for the State
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**CORAM : S.S. SHINDE &
MILIND N. JADHAV, JJ.**

DATE : JUNE 09, 2022

P.C.:

1. By the present petition, the Petitioner has written a letter to the Hon'ble the Chief Justice, Bombay High Court on 03.10.2015 stating that the Petitioner has been wrongly categorized in category 8(C) of Annexure-II under the guidelines of 1992 and therefore asked to undergo 28 years of imprisonment including remissions as per the said category.

2. We have heard the learned PP appearing on behalf of the State and perused the order dated 18.12.2012 passed by the Home Department in respect of which the Petitioner is aggrieved.

3. The Petitioner was arrested in CR No. 8/1998 on 23.01.1998; tried and convicted by the Sessions Court by judgment dated 21.09.1999 for the offences punishable under sections 342, 376(g), 302, 201, 404 r/w 34 of the IPC. The Petitioner was convicted for gang rape and murder of a young unmarried girl.

4. In the petition the Petitioner has urged that including the various remissions the Petitioner had already served 22 years of imprisonment as on 03.10.2015. According to the Petitioner under the revised guidelines of 15.03.2010, the Petitioner has claimed to fall under category 8(C) of Annexure-II wherein the prescribed period of imprisonment including remissions is 22 years.

5. We have perused the petition as well as the annexures thereto, the guidelines applicable and copy of the judgment dated 21.09.1999 convicting the Petitioner. It is seen that under the revised guidelines of 2010 considering the exceptional violence and brutality of the offence committed by the Petitioner he has been categorized under category 2(d) i.e. offences related to crime against woman's murder and rape. Though the Petitioner has pleaded that there is no proof against him for committing the murder, the judgment of the trial court speaks for itself. Hence the categorization of the Petitioner has been correctly done by the Chief Secretary in consonance with the

applicable guidelines and the Petitioner under category 2(d) is required to suffer imprisonment for 28 years including various remissions before he is released.

6. In view of the above the Writ Petition stands dismissed and disposed of.

[MILIND N. JADHAV, J.]

[S.S. SHINDE, J.]

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