

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR**

**CRIMINAL WRIT PETITION NO. 675 OF 2021**

Siddharh Dadarao Katke  
(C/5397, Central Prison, Amravati,  
District Amravati)

... PETITIONER

---VERSUS---

The Superintendent,  
Central Prison, Amravati, District  
Amravati.

...RESPONDENT

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Shri S.D. Chande, Advocate for petitioner.  
Shri S.M. Ghodeswar, Additional Public Prosecutor for respondent.  
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**CORAM : V. M. DESHPANDE AND  
AMIT BORKAR, JJ.**

**DATE : 11<sup>th</sup> APRIL, 2022.**

**JUDGMENT : (PER - AMIT BORKAR, J.)**

1. Heard.
2. **Rule.** Rule made returnable forthwith.
3. By this writ petition under Articles 226 and 227 of the Constitution of India the petitioner is challenging the order dated 29.09.2020 refusing the release of the petitioner on emergency

parole under Rule 19(1)(ii) of the Maharashtra Prisons (Mumbai Furlough and Parole) Rules, 1959.

4. Undisputedly, petitioner has been convicted for the offence under the provisions of Protection of Children from Sexual Offences Act (POCSO), which is a special Act. Therefore case of the petitioner is squarely covered by the authoritative pronouncement of Full Bench of this Court in the case of **Pintu Uttam Sonale Vs. State of Maharashtra** reported in **2020 (6) Mh.L.J. 627,.**

5. In that view the fact that the issue is covered by the decision of Full Bench, there is no illegality in exercise of power by the respondent. There is no merit in the petition. The petition is, therefore, dismissed.

Rule stands discharged. Pending application(s), if any, stand(s) disposed of.

**JUDGE**

**JUDGE**

*Wagh*