

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1035 CRIMINAL WRIT PETITION NO.663 OF 2022
WITH APPLN/117/2023 IN WP/663/2022

NITIN ALIAS GABYA BHASKARRAO KHANDAGLE
VERSUS
THE STATE OF MAHARASHTRA AND ORS.

Advocate for Petitioners : Mr.Arun S. Shejwal
APP for Respondents-State : Mr.S.D.Ghayal
Advocate for assist to APP : Mr.S.S.Subhedar h/f. Mr.N.S.Ghanekar

**CORAM : MANGESH S. PATIL &
ABHAY S. WAGHWASE, JJ.**

DATE : 5 April 2023

PER COURT :-

. Heard.

2. The learned Advocate for the petitioner, who is an under trial prisoner but is prosecuting this petition through a next friend, submits that petitioner is suffering from some mental illness and is seeking to be shifted to Regional Mental Hospital, Yerwada, Pune so that he can undergo treatment.

3. The learned APP, on instructions, places on record a copy of the communication addressed to the Superintendent, Aurangabad Central Jail by Head of the Department, Department of Psychiatry, Government Medical College, Aurangabad dated

01-04-2023 recommending transfer of the petitioner to Regional Mental Hospital, Yerwada, Pune.

4. The copy of the communication is taken on record and marked as 'X' for the purpose of identification.

5. The learned APP also submits that since the petitioner is an under trial prisoner, request is made to the concerned Court seeking its permission for such transfer and as and when the permission is granted and other formalities like RTPCR test and availability of escort are made, the petitioner would be shifted expeditiously.

6. Hoping that the Superintendent, Aurangabad Central Jail, will take emergent steps to shift the petitioner as is being recommended, we dispose of the petition.

7. The pending application is disposed of.

(ABHAY S. WAGHWASE)
JUDGE

(MANGESH S. PATIL)
JUDGE