

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5678 OF 2021**

Mangesh Damodar Aagwane

... Petitioner

**V/s.**

The State Of Maharashtra

... Respondent

Mr. Manoj S. Singh Appointed Advocate for Petitioner.

Mrs. M. H. Mhatre APP, for Respondent-State.

**CORAM : A.S. GADKARI AND  
PRAKASH D. NAIK, JJ.****DATE : 30<sup>th</sup> JANUARY, 2023.****PC. :**

1. It is the grievance of Petitioner that, Competent Authority did not grant him three month's remission of sentence on account of 125<sup>th</sup> Birth Anniversary of Dr. B. R. Ambedkar and in consonance with the Government Resolution dated 3<sup>rd</sup> June, 2017.

2. Perusal of record indicates that, the Petitioner is undergoing sentence under Sections 3(1)(i), 3(2), 3(4) of the Maharashtra Control of Organized Crimes Act (MCOCA) read with Section 302 and 120-B of the Indian Penal Code. The learned Special Judge under MCOCA/NIA Act has not approved the said remission by its Order dated 24<sup>th</sup> October, 2019 for the said reason.

3. In view thereof, we find no reason to interfere with the rejection of approval granted by the Special Court by its Order dated 24<sup>th</sup> October, 2019 to give benefit to the Petitioner.
4. Petition is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)