

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2168 OF 2022**

Irshad Mukhtar Shaikh

... Petitioner

V/s.

State Of Maharashtra

... Respondent

None for Petitioner.

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

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 21st FEBRUARY, 2023.****PC. :**

1. The case of the Petitioner for granting him remission of three months in pursuance of circular dated 3rd June, 2017 issued by Home Department, Government of Maharashtra on the occasion of 125th Birth Anniversary of Dr. B. R. Ambedkar, has not been favorably considered by the learned Judge of Trial Court on the ground that, the Petitioner is convicted under Section 376 (D) of the Indian Penal Code for committing the said offence on minor victim girl then aged about 13 years.

2. Perusal of record indicates that, the offence alleged against Petitioner was heinous in nature. Therefore the learned Judge of the Trial Court has not committed any error in giving his opinion dated 29th March, 2022 to that effect.

We find no error in the opinion given by the learned Judge of the Trial Court.

4. Petition is *dehors* of merits and is dismissed in *limine*.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)