

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3174 OF 2019**

Noor Mohammad Ali Hasan Malik

... Petitioner

V/s.

The State Of Maharashtra

... Respondent

Mr. Sushan Mhatre Appointed Advocate for Petitioner.

Mr. Ajay Patil APP, for Respondent-State.

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

1. Learned APP on instructions submitted that, case of the Petitioner will be placed before the Competent Committee for his transfer to open prison and in conformity with the decision rendered by the Division Bench of this Court in the case of *Ashokkumar Satyanarayan Arya Vs. State of Maharashtra And Anr. reported in (2010) SCC Online Bom. 1172* and followed by this Court in subsequent decisions. The said statement is accepted.

2. In view of the above, nothing further survives in the present Petition and is accordingly disposed off.

(PRAKASH D. NAIK, J.)**(A.S. GADKARI, J.)**