

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2897 OF 2018**

Dattatraya Laxman Raut

...Petitioner

Versus

The State Of Maharashtra

...Respondent

Mr. Satyajeet P Dighe appointed Advocate for Petitioner.

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

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**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 27th FEBRUARY, 2023.

P.C.:-

1. Present Petition is received through Jail.
2. It is the grievance of the Petitioner that, the benefit of grant of remission of three months in pursuance of Government Resolution dated 3rd June 2017 issued on the occasion of 125th Birth Anniversary of Dr. Babasaheb Ambedkar has not been extended to the Petitioner by the Competent Authority as the learned Judge of the trial Court has given adverse opinion dated 4th October 2017 in that behalf.
3. Perusal of record indicates that, the Petitioner has been directed to undergo 22 years actual imprisonment including set off by the trial Court while convicting and sentencing him.
4. We have perused the said opinion dated 4th October 2017. Learned

Judge of the trial Court in the said opinion has observed that, the Petitioner along with other accused persons has committed murder of Narayan Satpute by forming unlawful assembly and by using deadly weapon like knife. That the prosecution in fact had prayed for sentence of capital punishment however by showing leniency upon the Petitioner, the trial Court has awarded life imprisonment and has directed him to undergo sentence of actual imprisonment of 22 years including set off period.

5. After perusal of entire record, we are of the considered view that, the opinion given by the trial Court is in conformity with the evidence adduced by the prosecution and finding recorded by trial Court in Sessions Case No.102 of 2006 decided on 8th May 2007 and requires no second opinion or interference by this Court.

6. Petition is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)