

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**WRIT PETITION NO. 2595 OF 2022**

Hitesh Shantilal Solanki.

...Petitioner.

*Versus*

The State of Maharashtra.

..Respondent.

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*Ms. Sangita Walke for the Petitioner.*

*Ms. M. H. Mhatre, APP for the Respondent-State.*

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Coram : Nitin W. Sambre &  
Sharmila U. Deshmukh, Jj.

**Date : June 12, 2023.**

P. C. :

1. We have heard the appointed advocate for the petitioner and the learned APP for the respondent-State.

2. The prayer for remission was rejected on 7<sup>th</sup> September 2017 by the Special Court, Mumbai. Subsequent thereto, vide order dated 17<sup>th</sup> February 2020 passed in Criminal Writ Petition No. 788 of 2020 [*Ratnakar Gautam Kamble v. The State of Maharashtra*] passed by this Court, the co-accused was granted remission. As such, the petitioner is claiming parity.

3. Since the order passed by this Court in Criminal Writ Petition 788 of 2020 (*supra*) was not available to the Special Judge while

rejecting the prayer of petitioner for remission on 7<sup>th</sup> September 2017, we deem it appropriate to dispose of the present petition with following order :

**∴ ORDER ∴**

The prayer of the petitioner for grant of remission based on the scheme framed by the State Government on the occasion of 125<sup>th</sup> Birth Anniversary of Dr. Babasaheb Ambedkar be considered afresh having regard to the observations made by this Court in Criminal Writ Petition No.788 of 2018 (*supra*) in the order dated 17<sup>th</sup> February 2020. Learned Special Judge shall make every endeavour to decide the same as expeditiously as possible and in any case within four week from the date of receipt of a copy of this order.

4. The petition stands disposed of.

**[Sharmila U. Deshmukh, J.]**

**[Nitin W. Sambre, J.]**