

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4781 OF 2022
WITH
INTERIM APPLICATION NO. 387 OF 2023

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NITIN
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Nasir Hussain Shamsheer Ali

Hashmi

..Petitioner

V/s.

The State of Maharashtra

..Respondent

Mr. Mohansinh Rajput for the Petitioner.

Mr. J.P. Yagnik, APP for the Respondent/State.

CORAM : SUNIL B. SHUKRE, AND
M.M.SATHAYE, JJ.

DATE : 3rd APRIL 2023

P.C.

1. Rule. Rule is made returnable forthwith. Learned APP waives service for Respondent No.2. Heard finally by consent of parties.

2. On going through the provisions of the Prisons (Bombay Furlough and Parole) Rules, 1959, (for short 'the Prisons Rules') we are of the view that purpose of the petition shall stand served if another opportunity is given to the Petitioner to make a representation to the Deputy Inspector General of Prisons, in terms of last proviso to Rule 19(1)(2) of the Prisons Rules,

seeking complete waiver of charges of police escort. Accordingly, granting liberty to the Petitioner to make such representation, we direct that if any representation is made by the Petitioner, the same shall be decided by the Deputy Inspector General of Prisons in accordance with law after making due inquiry in the matter at the earliest and within the time stipulated in the last proviso of Rule 19(1)(2) of the Prisons Rules and the decision so taken shall be communicated in writing to the Petitioner by the concerned Jail Authority at the earliest.

3. The petition is disposed of in the above terms. Rule accordingly.

4. Interim application is also disposed of in terms of final order.

(M.M.SATHAYE, J.)

(SUNIL B. SHUKRE, J.)