



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.583 OF 2023

Rahul s/o Babanrao Bhad

..VS..

State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Ishant Tambi, Advocate for the petitioner (Appointed)
Ms. Tripathi, Addl.P.P. for the State.

CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.
DATED : 13/10/2023.

RULE. Rule made returnable forthwith.

2. Heard finally by consent of the learned Counsel appearing for the parties.

3. The applicant was convicted for the offence punishable under Section 302 of the Indian Penal Code and undergoing life imprisonment from 20.01.2021. The petitioner has applied to respondent no.2 Superintendent of Central Prison, Amravati for grant of remission in terms of Government Resolution (GR) dated 03.06.2017.

4. In exercise of powers conferred under Section 432(1) of the Code of Criminal Procedure, the State has decided to grant remission for the specified period on account of 125th Birth Anniversary of the Dr. Babasaheb Ambedkar. Government Resolution contains a Chart specifying the period of remission as per the term of imprisonment. The petitioner is a life convict, therefore, as per GR, he would be entitled for remission of three

months provided that he would not fall in the exceptional categories provided under the GR itself.

5. The petitioner does not fall in the exceptional six categories carved out but the GR itself is clear enough that the life convict would get the benefit of the GR after completion of 14 years of actual imprisonment. Admittedly, the petitioner does not fall into the said criteria, therefore, he is not eligible for the benefit of GR dated 03.06.2017

6. In view of the above, the petition stands dismissed. No costs.

7. Fees of the appointed Counsel be paid as per Rules.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)

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