



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.673 OF 2023

[Kiran Umraoji Kaithe ..V/s.. The 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 order

Ms R. Singh, Advocate for Petitioner
Ms N. Tripathi, APP for Respondent Nos.1 and 2.

CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.

DATE : 7th SEPTEMBER, 2023.

. Heard.

2. By this petition, under Articles 226 and 227 of the Constitution of India, the petitioner seeks quashing of order dated 12.09.2022 passed by the District & Sessions Judge-6 and Additional Sessions Judge, Nagpur. He also seeks grant of remission of three months under the State remission scheme pursuant to Government Resolution dated 03.06.2017.

3. It is submitted that the respondent No.2 – Superintendent of Jail, Central Prison, Amravati, has made a request to the District & Sessions Judge-6 and Additional Sessions Judge, Nagpur, for his opinion in the matter. The said Additional Sessions Judge, Nagpur, *vide* order dated 12.09.2022 rejected the request stating that the accused is not entitled to the said remission. This order is subject matter of present petition. It is petitioner's contention that the Superintendent of Jail, Central Prison, Amravati, has yet not informed any decision taken by him in the matter.

4. In view of the above, we direct the respondent No.2 – Superintendent of Jail, Central Prison, Amravati, to take appropriate decision, if not already taken, within two weeks from the date of receipt of this order, in the matter in accordance with law and inform the same to the petitioner and file compliance report with the Registry of this Court. If compliance is not filed, the matter be placed on Board.

5. The criminal writ petition stands disposed of accordingly.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)