

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1962 OF 2023**

Amit Eknath Rao

... Petitioner

V/s.

The State of Maharashtra

... Respondent

None for Petitioner.

Mr.S.V. Gavand, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 12th January 2024.****P.C. :**

- 1) This is a Petition received through jail.
- 2) The Petitioner has prayed that, the punishment of deduction in remission inflicted upon him for reporting late to the Jail Authority in the ratio of 1 day to 5 days (1 : 5 days) be quashed and he may be imposed the ratio of 1 day is to 1 day (1 : 1 day) for the same.
- 3) Record indicates that, the Petitioner was released on furlough leave from jail on 14th August 2007 for a period of two weeks. Instead of surrendering the Jail Authority within stipulated period, the Petitioner absconded and was to be arrested by the police and brought back to the Jail Authority with a delay of 535 days. The Competent Authority i.e. the Deputy

Inspector General of Prisons, Pune Region by its Order dated 1st January 2010 granted permission for reduction in his remission under Chapter 27, Rule 2(a) of the Maharashtra Prison Manual, 1979. Learned District Judge-1, Kolhapur by its Order dated 24th May 2010 has confirmed the punishment for reduction in his remission by applying the ratio of 1 day is to 5 days (1 : 5 days). The said punishment is in consonance with the Notification dated 2nd August 2011 issued by the Home Department, Government of Maharashtra.

The aforestated facts are admitted facts on record.

4) In view of the fact that, the Petitioner did not report to the Jail Authority within stipulated period; was absconding for 535 days; was to be arrested by the police and brought back to the Jail Authority, we are not inclined to consider the request of the Petitioner. Even otherwise, the punishment inflicted upon the Petitioner is well within the four corners of law and in consonance with the Notification dated 2nd August 2011 issued by the Home Department, Government of Maharashtra.

5) We find that, there are no merits in the Petition and the Petition is accordingly dismissed in *limine*.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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