

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.738 OF 2024

Bake @ Ramesh Bansi Yadav	]	Petitioner
Vs.		
The State of Maharashtra	]	Respondent

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Mr. Nikhil N. Pawar, Appointed Advocate, for Petitioner.

Ms. P.P. Shinde, A.P.P, for Respondent – State.

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**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATE : 14th November, 2024.

P.C:

1. By this petition, preferred through the Legal Services Authority, the applicant seeks grant of open prison benefit and quashing and setting aside of the proposal categorizing the petitioner under 2 (d) for 28 years as per the revised guidelines for premature release under the “14 Year Rule” of prisoners serving life sentence.

2. Learned A.P.P, on instructions, states that both the aforesaid reliefs do not survive inasmuch as the petitioner has been sent to

open prison. As far as the question of quashing and setting aside the proposal is concerned, the learned A.P.P submits that the said question does not arise, since the proposal has been accepted by the Government and the petitioner has been categorized under 2 (d) for 28 years as per the revised guidelines for premature release under the “14 Year Rule” of prisoners serving life sentence.

3. In view of the aforesaid, learned Counsel for the petitioner does not press this petition and as such seeks leave to withdraw the same with liberty to file a fresh petition challenging the grant of proposal by the State Government.

4. The petition is accordingly disposed of, as withdrawn. We make it clear that we have not gone into the merits of the proposal categorizing the petitioner for 28 years and as such, all contentions of all parties are kept open.

[PRITHVIRAJ K. CHAVAN, J.]

[REVATI MOHITE DERE, J.]