



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

CRIMINAL WRIT PETITION NO.159 OF 2021

Pravin Avdhutrao Mendhe, aged about
45 years, Presently detained in Central
Prison, Wadali Road Amravati, Tq. And
Dist. Amravati, as convict No.C-3514

... PETITIONER

VERSUS

1. The State of Maharashtra, through
its Secretary, Home Department,
Mantralaya, Mumbai.
2. Deputy Director General of Police
and Inspector General of Prisons and
Corrections, Pune, Maharashtra
3. The Superintendent of Prison,
Amravati Central Jail, Amravati, Dist.
Amravati, Maharashtra.

... RESPONDENTS.

Mrs. Anuprita Mishrikotkar (appointed) for the petitioner.
Mrs. N. Tripathi, Addl.PP for the State.

CORAM : VINAY JOSHI AND VRUSHALI V. JOSHI, JJ.
DATED : 03.01.2024.

ORAL JUDGMENT : (Per : Vinay Joshi, J.)

RULE. Rule made returnable forthwith.

2. The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.

3. The petitioner's name has been permanently removed from the remission register. The Advisory Committee in its meeting considered the cases of several prisoners (including petitioner) for re-entering the name of prisoners in remission register. However, the impugned order is very cryptic and without assigning the reasons. It does not disclose that before passing the order, explanation if any, given by the petitioner for late surrender was considered or otherwise. Notably for other basis reason may be cryptic have been assigned but for petitioner absolutely no reason has been given for rejection.

4. As per the Government Resolution, there is a provision to reconsider the request of prisoners as per the parameter set out in the resolution itself. Since the reason has not been recorded, the Authority needs to reconsider its decision.

5. In view of the above, the impugned order dated 01.03.2019 of rejecting the petitioner's claim for re-entering name into remission register is quashed and set aside.

6. The Authority shall reconsider the petitioner's case and pass

appropriate reasoned orders within four weeks from the date of communication.

7. The petition stands disposed of in above terms. Rule stands discharged.

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

(VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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