



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

CRIMINAL WRIT PETITION NO. 355/2024.

Sarfaraj Iqbal Faridulla Khan

-VERSUS-

State of Maharashtra and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms R. Singh, Advocate for the Petitioner.
Ms N. Tripathi, A.P.P. for Respondents.

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

DATE : APRIL 23, 2024.

Heard.

2. The petitioner has applied for grant of benefit of special remission scheme in terms of the government resolution dated 03.06.2017. The learned Sessions Judge in its appraisal report has stated that the crime committed by the convict does not fall under the categories mentioned in Annexure-II of the government resolution dated 15.03.2010.

3. Apparently the convicting Judge has not

accorded his opinion which shall be confined to the applicability of the special remission scheme introduced vide Government Resolution dated 03.06.2017 on account of 125th Birth Anniversary of Dr.Babasaheb Ambedkar,. The guidelines dated 15.03.2010 pertaining to which the opinion is furnished has no relevance.

4. In view of above, the jail authority is directed to immediately seek fresh opinion from the convicting Judge by forwarding copy of this order. The concerned Judge shall furnish his opinion within a period of one week strictly in terms of the government resolution dated 03.06.2017. On receipt of the said opinion, the Authority shall pass appropriate orders within further period of one week.

5. Criminal Writ Petition stands disposed of in above terms.

JUDGE

JUDGE