



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 626/2024

(Mohd. Zubair @ Tarbez @ Jugnu Kasim Shaikh Vs. The State of Maharashtra & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N.N. Gawankar, Advocate h/f Mr. S. A. Chaudhari,
Advocate for petitioner.

Mrs. S.S. Jachak, APP for respondent Nos. 1 & 2.

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

DATED : 04/10/2024.

Heard.

2. It is petitioner's grievance that though he has completed 19 years of actual imprisonment, his case was not considered for pre-mature release. According to the petitioner, guidelines dated 11.05.1992 would apply as the date of conviction is material in view of the decision of the Supreme Court in case of *State of Haryana Vs. Bhup Singh and Ors. (2008) 17 SCR 1306*. The learned APP has brought the record and on that basis, submitted that petitioner's case was forwarded for consideration. The Convicting Court has given adverse opinion. According to the learned APP, the petitioner does not deserve for pre-mature release, however yet decision has not been taken.

3. Since the petitioner has already completed 19 years of imprisonment, the matter requires earlier adjudication. We direct respondents to take appropriate decision about premature release of the petitioner in accordance with law within six weeks and communicate the decision to the petitioner.

4. Petition stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

Gohane