



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

CRIMINAL WRIT PETITION NO. 698/2023.

Mohd. Vilal Ansari Abdul Aziz

-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

Shri S. Jaiswal, Advocate [Appointed] for the Petitioner.
Ms. Dhote, A.P.P. for Respondents.

CORAM : VINAY JOSHI AND
ABHAY J. MANTRI, JJ.

DATE : OCTOBER 21, 2024.

Heard.

2. By this petition, the petitioner is seeking to quash the adverse opinion dated 25.04.2023 given by the Sessions Judge and an urge to grant benefit of special remission to the prisoner on account of government resolution dated 03.06.2017.

3. Undisputedly, the petitioner is convicted for the offence punishable under Section 302 of the

Indian Penal Code, and has not undergone 6 years of imprisonment so far. The concerned government resolution puts an initial rider that the prisoner who are convicted for the offence for which death is one of the alternative punishment/penalty, shall not be released unless he undergoes actual imprisonment of 14 years. The petitioner does not stand to said reason since he has not completed 14 years of actual imprisonment, and therefore, is not entitled for the relief prayed for.

4. Writ Petition is therefore, dismissed.

5. Fees of the appointed Counsel be determined as per Rules.

JUDGE

JUDGE