



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

CRIMINAL WRIT PETITION NO. 700/2023.

Shrikant Bhaucharan Sonekar

-VERSUS-

State of Maharashtra and others.

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

Court's or Judge's Orders

Shri N.P. Singhaniya, Advocate [Appointed] for the
Petitioner.

Shri U. Phasate, 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 26.04.2023
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 13 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. We may clarify that the petitioner may apply after completion of 14 years of imprisonment, which shall be considered in accordance with law.

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

JUDGE

JUDGE