



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

14 CRIMINAL WRIT PETITION NO. 209 OF 2025

AMOL SUBHASH TAPSE C/NO. 4879

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Ms. Sharda P. Chate Advocate for Petitioner.

Mr. S.A. Gaikwad, A.P.P. for Respondents.

...

**CORAM: SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATE : 3rd MARCH, 2025

ORDER :

1. Present Petition has been filed for direction to respondent No.1 to decide the proposal for premature release of the petitioner, pending since 4th November 2022 vide Outward No.9700 of 2022.

2. Learned APP waives notice for all the respondents and upon instructions from respondent No.1, submits that respondent No.1 would decide the said proposal within a period of three months.

3. There is a Circular issued by the State Government, Home Department (Prisons), dated 2nd August 2004, wherein the guidelines have been given as to how the proposal for premature release should be dealt with. Para No.14 of the Circular states that the proposal should be received about one year and three months prior to the actual imprisonment of fourteen years so that it would be easy for the Government to decide regarding the premature release at the verge of completion of actual imprisonment of fourteen years.

4. It is stated by the learned APP that the present petitioner has undergone as on today, 24 years and 10 months with remission and actual imprisonment undergone is 15 years and 4 months. Thus, it can be seen that respondent No.1 is not following the abovesaid Government Circular dated 2nd August 2004, in letter and spirit. Therefore, though it is stated that respondent would decide the said proposal within three months, we dispose of the Writ Petition with direction to respondent No.1 to decide the said proposal on or before 17th April 2025.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE