



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 CRIMINAL WRIT PETITION NO. 812 OF 2025

Jalal Siddique Mulla

VERSUS

The State of Maharashtra and another

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Advocate for the Petitioner : Mr. Rupesh A. Jaiswal
APP for Respondent No.1: Ms. Rashmi P. Gour

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

DATED : 17th JUNE, 2025

PER COURT :-

1. The present petition has been filed for direction to decide the application for premature release of the petitioner which is pending before respondent No.2 since 19.12.2024.

2. Heard learned advocate Mr. Jaiswal for the petitioner and learned A.P.P. for the respondents.

3. Learned advocate appearing for the petitioner points out that in view of the Government Resolution dated 02.08.2004, the application for premature release of the convict has to be decided prior to completion of 14 years of imprisonment and the 14 years of the petitioner got completed in April, 2025 and therefore, it is necessary to direct respondent No.2 to decide the application of the

petitioner, at the earliest.

4. Learned A.P.P., upon instructions from respondent No.2, makes a statement that the application would be decided within a period of three months.

5. It would not be out of place to mention here that in criminal writ petition No. 109 of 2025 which was decided by this court on 17.3.2025, a similar request was made and then we had passed a detailed order taking into consideration the fact that the application for premature release was pending since 30.03.2022 and it was not decided till 17.3.2025. We had called upon the State Government to file an affidavit regarding the position of pending applications for premature release. The affidavit of Mr. Sugriv Dhapate, the Joint Secretary, Home Department, Mantralaya, Mumbai was filed and it was pointed out that around 196 proposals are pending with the Government since last one year. A statement was then made that a special drive would be taken after the budget session of 2025 is over. Taking into consideration the said statement, a specific order has been passed to clear the pendency of 196 proposals by the end of June, 2025. Of course, as the application of the petitioner with respondent No.2 appears to be pending since 19.12.2024, i.e. less than a year, it might not be covered under the said figure of 196 and

therefore, we dispose of this writ petition by directing respondent No.2 to decide the said application, within a period of two months from today.

(SANJAY A. DESHMUKH, J.) (SMT. VIBHA KANKANWADI, J.)

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