



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

CRIMINAL WRIT PETITION NO.57 OF 2024

Rakesh s/o Sanjay Shinde, Central Prison, Nagpur (C-10794)

-VS-

State of Maharashtra, Thr. Secretary, Home Dept. Mumbai and anr.

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

Court's or Judge's Orders.

None for the petitioner.

Ms K. S. Bhondge, Additional Public Prosecutor for respondents.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : January 14, 2025

1. None for the petitioner.
2. The petitioner is seeking benefit of State remission of 3 months under the Government Resolution dated 03/06/2017 issued on the 125th birth anniversary of late Dr Babasaheb Ambedkar.
3. Since the appointed Advocate is absent, we appoint Ms Shreya Jain, Advocate to assist the Court in the matter.
4. We are informed by the learned Additional Public Prosecutor that since the petitioner is convicted under the provisions of Protection of Children from Sexual Offences Act, 2012 which is a Central Act, the petitioner is not entitled for remission.
5. There appears substance in what has been submitted by the learned Additional Public Prosecutor as it is apparent from the policy reflected in Government Resolution dated 03/06/2017 that in case the accused is convicted under the provisions of the Central Act, the remission is not made admissible to such convict.
6. In this view of the matter, we see no reason to cause interference. The writ petition is dismissed accordingly.
7. Fees of the counsel appointed be paid as per the Rules.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)