



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.346/2023

Gulab Kisanrao Deshmukh (In Jail) .Vs. State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. N. Ali, Advocate for petitioner.
Mrs. R. Sharma, A.P.P. for respondents – State.

CORAM : **ANIL L. PANSARE AND**
SIDDHESHWAR S. THOMBRE, JJ.
DATE : **SEPTEMBER 17, 2025**

Heard.

2. Petitioner has questioned order dated 12.04.2023 passed by respondent No.1 whereby the petitioner has been categorized in category 6(c) of the guidelines of 2010. According to the petitioner, he should have been categorized under category 3(b) of the said guidelines.

3. Category 3(b) refers to murders arising out of land disputes, family feuds, family prestige and superstition. For the said category, period of imprisonment to be undergone including remission is minimum 14 years and prisoner is entitled for release after 22 years including remission.

4. As against, category 6 (c) refers to murder for serious offences where a convict is awarded more than one life sentences and the sentences should run concurrently. In such a case, the convict is entitled for release after completing 30 years of actual imprisonment including set off and remission.

5. In the present case, the petitioner has been convicted for the offences punishable under Sections 302 and 307 of the Indian Penal Code, 1860 ("IPC"). The Trial Court imposed individual life sentences for both the offences. Thus, according

to respondents, the petitioner has been rightly categorized under category 6(c).

6. Learned counsel for the petitioner submits that the petitioner can be categorized under 6(c) as also 3(b) because the offence occurred out of the land dispute within family and a finding to that effect is recorded in paragraph 11 of the judgment. He further submits that the policy of releasing prisoner being beneficial in nature, the category which favours the petitioner should be considered.

7. We are not impressed with the submissions that the petitioner could be categorized in both, category 3(b) and 6(c). Both the categories are distinct. In the present case, though the petitioner has been convicted for committing offence which arises out of land dispute within family, the fact remains that he has been convicted under Sections 302 and 307 of the IPC and has been imposed life sentence for both the offences and further the sentences are to run concurrently. The conditions of more than one life sentence and further that the sentences should run concurrently are not applicable to category 3(b). That being so, category 6(c) can be said to be distinct from category 3(b). The respondents have rightly categorized the petitioner in category 6(c). He is, therefore, not entitled for the benefit as claimed.

8. The petition is accordingly dismissed.

(Siddheshwar S. Thombre,J.)

(Anil L. Pansare, J.)