

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.902 OF 2026

Suraj Devidas Ugalmugale

.. Petitioner

Vs.

The State of Maharashtra

.. Respondent

Mr. Veerdhaval Kakade, Appointed Advocate for the Petitioner.

Mrs. M.M. Deshmukh, Additional Public Prosecutor for the Respondent-
State of Maharashtra.

**CORAM : RAVINDRA V. GHUGE, ACJ. &
GAUTAM A. ANKHAD, J.**

DATE : 15TH JUNE, 2026.

P.C. :

1. This Petition is registered on a handwritten original letter (2 pages) dated 4th December, 2025 received by the Registrar of this Court, from the Petitioner who is an under-trial prisoner at the Latur District Jail, Class-1.

2. The learned Advocate Shri Veerdhaval Kakade has been appointed through the Legal Services Authority to represent the Petitioner. He points out from the original letter written by the Petitioner that he is facing a trial for an offence punishable under Sections 302, 307, 324, 498-A and 34 of the Indian Penal Code. The criminal case is now before the District Judge-6, Additional Sessions Court, Nashik in an on-going trial.

3. The learned Advocate further points out that the Petitioner accidentally got into a fight with co-inmates in the Nashik Central Jail, where he was initially lodged. Because of the fight, he has been transferred to the Latur District Jail vide order dated 18th December, 2024, passed by the DIG. He desires to participate in the trial and is not able to have a full participation in view of the deficiency in the audio and visual connectivity through the V.C. mode.

4. The learned Additional Public Prosecutor has placed on record a compilation of documents (11 pages), which is collectively marked as 'X' for identification. She points out that the Petitioner had assaulted other inmates in the Nashik Central Jail. Considering his conduct and the frequent fights, the Petitioner has been transferred to the Latur District Jail.

5. She further submits that the request application of the Petitioner for being re-transferred to the Nashik Central Jail has been considered by the present Special IG (Prisons) and he has rejected the application of the Petitioner by assigning reasons. One of the reasons is that the Petitioner had developed some enmity with the co-inmates in Nashik Central Jail and had entered into physical fights with them. Those inmates would now become a threat to the Petitioner. So also, the

Petitioner has been kept in a Special Cell at Latur considering his aggressive nature. Re-transferring him to Nashik Central Jail would involve high security and transportation and if the same incidents occur at Nashik Central Jail, the Authorities will have to re-consider their decision.

6. We find that in such matters, discretion has to be exercised considering the prevailing circumstances. If there are such attending circumstances which do not justify a transfer and which are likely to create further risk, such transfer application need not be entertained.

7. In view of the above, **this Petition is disposed off.** We would only record that the Prison Authority at Latur would ensure proper WiFi connectivity to enable the Petitioner to have an uninterrupted participation in his trial through the V.C. mode. It is only in certain circumstances that if the trial Court finds it appropriate to direct the presence of the Petitioner in the Nashik Court, the Prison Authorities would ensure that such direction is complied with.

[GAUTAM A. ANKHAD, J.]

[ACTING CHIEF JUSTICE]