



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

CRIMINAL WRIT PETITION NO.549/2024

Shri Amar s/o Omveersingh Rathi

..VS..

State of Mah., thr.its Secretary, Home Department, Mantralaya, Mumbai and ors

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

Court's or Judge's Order

Shri R.L.Kadu, Counsel for the Petitioner.

Shri Milind Sathe, Advocate General with Shri A.B.Badar, APP for Respondents.

CORAM : URMILA JOSHI-PHALKE & NIVEDITA PMEHTA, JJ.

DATE : 16/04/2026

1. Heard.

2. By this petition, the petitioner has challenged Clause-2(iv) of the "Government Resolution No.Sankirna 0523/Pra.Kra.310/23/PRS-3" dated 13.3.2024. He is also seeking directions to respondents to give benefits of remission declared by the said Resolution.

3. As per contentions of the petitioner, there was a Court Martial as he was serving in the Indian Navy and vide order of sentence dated 1.8.2017 passed by the Trial Judge Advocate, he was convicted for commission of offences under Sections 6, 10, and 12 of the Protection of Children from Sexual Offences Act, 2012 read with Section 77(2) and under Section 51 of the Navy Act, 1957 and he has been sentenced to undergo rigorous imprisonment for 180 Calendar Months i.e. 15 years.

4. During submissions, learned counsel for the petitioner submitted that he is withdrawing Prayer Clause (a) of the petition as far as challenge to the said Government Resolution is concerned. However, he submitted that Prayer Clause (b) of the petition be considered.

5. Admittedly, the petitioner has not approached the concerned authority seeking the remission.

6. The petitioner shall first approach the concerned authority for remission and the concerned authority, in view of the said Government Resolution, shall consider his representation by passing an appropriate order. The concerned authority shall decide his application within one month.

With this, the criminal writ petition is **disposed of**.

JUDGE

JUDGE

!! BrWankhede !!