



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

CRIMINAL WRIT PETITION NO. 221 OF 2026

(Shri Sachin Jagdish Landge Vs. State of Maharashtra & Ors.)

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

Court's or Judge's orders.

Mr. R.L. Kadu, Counsel for the petitioner.
Ms N.R. Tripathi, A.P.P. for the respondents/State.

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CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
APRIL 2, 2026

Heard.

2] The petitioner is seeking benefit of remission in terms of the Government Resolution dated 15/3/2010.

3] We have gone through the aforesaid Resolution – the guidelines for premature release received in terms of Section 432 of the Code of Criminal Procedure, 1973 (the Code).

4] The petitioner is convicted for an offence punishable under Section 376(2)(c) of the Indian Penal Code, 1860 (IPC), and is sentenced to suffer life imprisonment.

5] The learned A.P.P. has invited our attention to an order passed by the Hon'ble Supreme Court in *Union of India Vs. V. Sriharan @ Murugan And Ors. [Writ Petition (Crl.) No. 48/2014 decided on 23/7/2015]*.

6] We have gone through the aforesaid order. It appears that on 9/7/2014, the Supreme Court had

restrained the State Governments from exercising their powers of remission and commutation of sentence under Sections 432 and 433 of the Code to life convicts. The order was modified by the Supreme Court on 23/7/2015. The modified portion reads as under :

“1 to 3

4. Accordingly, we modify our order dated 09.07.2014, whereby we had restrained the State Governments from exercising power of remission or commutation to life convicts. The said order dated 09.07.2014 shall only apply to cases :

1) where life sentence has been awarded specifying that -

(a) the convict shall undergo life sentence till the end of his life without remission or commutation;

(b) the convict shall not be released by granting remission or commutation till he completes a fixed term such as 20 years or 25 years or like.

ii) where no application for remission or commutation was preferred, or considered suo motu by the concerned State Government/authorities.

iii) where the investigation was conducted by any Central Investigating Agency like the Central Bureau of Investigation.

iv) where the life sentence is under any central law or under Section 376 of the Indian Penal Code, 1860 or any other similar offence.”

7] As could be seen, the previous order, i.e., order dated 9/7/2014, has been modified, whereby the Supreme Court has restrained the State Governments from exercising their powers of remission or commutation to life convicts, where, amongst others, the life sentence is under Section 376 of IPC or any other similar offence.

8] In the present case, since the petitioner is convicted for the offence punishable under Section

376(2)(c) of IPC, we do not find any illegality committed by respondent no.2 in rejecting the request for premature release in terms of Section 432 of the Code.

9] The petition is, accordingly, dismissed.

(JUDGE)

(JUDGE)

Sumit