



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

CRIMINAL WRIT PETITION NO. 381 OF 2026

Purushottam Kumar Ambikapatisingh
Sinha,

Age: 69 years, R/o :- 3306/A, Muni
Shambhunath CHS, Shambhu Nagar,
P.O. Mankapur, Nagpur - 440030, U.T.P
[Presently lodged at Central Prison,
Nagpur]

PETITIONER

Versus

1. The State of Maharashtra, Thr. the
Principal Secretary, Home Department,
Mantralaya, Mumbai – 400032.
2. Superintendent, Central Prison,
Nagpur Central Prison,
Nagpur – 440020.
3. Commissioner of Police, Nagpur City
Police Headquarters, Nagpur - 440001.
4. Rashtrasant Tukadoji Maharaj Nagpur
University, Thr. its Vice-Chancellor
/Director, Board of Examinations &
Evaluation Nagpur – 440001.
5. Principal, Dr. B.R.A. Law College
Nirmal Colony, Nara Road,
Nagpur - 440014.

RESPONDENTS

Mr. N.S. Padia, Advocate for the Petitioner.
Mr. S.S. Hulke, APP for the Respondent Nos. 1 to 3/State.

CORAM : URMILA JOSHI PHALKE AND
NIVEDITA P. MEHTA, JJ.

DATED : 08th MAY, 2026.

ORAL JUDGMENT :- (PER : URMILA JOSHI PHALKE, J.)

1. Heard.
2. **Rule.** Rule made returnable forthwith. Heard finally by the consent of learned Counsel appearing for the respective parties.
3. By this Petition, the Petitioner is seeking permission to appear for the forthcoming Summer-2026 L.L.B. Second Semester examination which is scheduled within a week but the time table is not yet received by him.
4. It is submitted by the learned Counsel for the Petitioner, that the Petition is filed by the undertrial prisoner seeking enforcement of his fundamental right to education and dignity under Article 21 of the Constitution of India, being aggrieved by the arbitrary action of the Respondents in insisting upon payment of exorbitant escort charges as a pre-condition

for permitting him to appear for the L.L.B. examination. He submitted that, the Petitioner came to be arrested in connection with an alleged offence in connection with Crime No.307/2023 at Koradi Police Station.

5. The Petitioner is a *bonafide* student of L.L.B. (Three Year Course) at Dr. B.R.A. Law College, Nagpur, affiliated to Rashtrasant Tukadoji Maharaj Nagpur University. He had secured admission through MH-CET in the year 2022 and had successfully completed his First Semester examination in February 2023. In December 2023, the Petitioner has faced the situation that, despite permission granted by the Court, he was effectively prevented from appearing in the examination due to exorbitant financial burden imposed. During the year 2024, the Petitioner continued his academic sessions and remained enrolled in the L.L.B. course. If permission is not granted by exonerating the escort charges then he would deprive from taking the further education. In view of that, he be permitted to appear for the examination without being paid the escort charges.

6. In support of his contention, he placed reliance on

the order passed by this Court at Principal Seat in Interim Application No. 1874/2024 in Appeal No. 71/2019 with connected Appeals.

7. Learned APP strongly opposed the said contention and submitted that, an alternate remedy is available with the Petitioner by filing the application for temporary bail, which is not availed by him and he appeared before this Court, and therefore, the Petition be dismissed.

8. After hearing both the sides and on perusal of the entire record it reveals that, the Petitioner was deprived earlier due to his financial burden and his right of education is affected due to this. The Petitioner is pursuing his higher education, and therefore, in our opinion considering the fact that he is incarcerated as he is involved in one of the crime and because of this he should not be deprived from his educational carrier. It would be harsh to ask him to bear the exorbitant escort charges instead by the Respondents, and therefore, we proceed to pass the following order.

ORDER

- i. The Criminal Writ Petition is **allowed**.
 - ii. The Petitioner be taken from the Central Prison Nagpur to the venue of the examination on the scheduled dates without insisting for the escort charges.
 - iii. The Authorities of Nagpur Central Prison, should arrange for deputing the security personnel at the venue of the examination and near the Petitioner when he appears for the examination.
 - iv. The Authorities of Dr. B.R.A Law College, Nagpur should agree for providing of a separate hall and separate invigilator to enable the Petitioner to undertake the examination on the aforesaid dates and should also agree for allowing a cordon of security personnel around him at the time of examination.
 - v. The Authorities of Nagpur Central Prison, to provide adequate safeguards for safety and security of the Petitioner during the travel as well as examination period.
9. Rule is made absolute in the above terms.
10. Pending application/s, if any, shall stand disposed of accordingly.

(NIVEDITA P. MEHTA, J.)

(URMILA JOSHI PHALKE, J.)