

ITEM NO.103

COURT NO.1

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s).1434/2012

MUBINKHAN

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

Date : 14-12-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MS. JUSTICE HIMA KOHLI

For Appellant(s) Mr. Shekhar G. Devasa, Adv.
Mr. Manish Tiwari, Adv.
Mr. Shashi Bhushan Nagar, Adv.
Mr. Ramesh Jadhav, Adv.
For M/S. Devasa & Co., AOR

For Respondent(s) Mr. Sachin Patil, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

The question of law involved in the instant case is as to whether the Covid Leave period of parole of a convict can be considered for calculating his period of actual sentence or not and whether that period can be considered as the period already undergone by him or not by virtue of the order passed by this Court in SMW(C) No. 1 of 2020 (In Re: Contagion of Covid 19 virus in prisons) and the subsequent Notification issued by the Government.

We direct the learned counsel appearing on behalf of the respondent - State to supply a copy of the paperbook to the office of the learned Solicitor General and all the State counsels.

List along with SMW(C) No. 1 of 2020 (In Re: Contagion of Covid 19 virus in prisons).

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)

