

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 5820 of 2023****With****CRIMINAL MISC.APPLICATION (FIXING DATE OF EARLY HEARING)
NO. 1 of 2023****In R/SPECIAL CRIMINAL APPLICATION NO. 5820 of 2023**

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RAVIKUMAR SHIVGIRI GOSWAMI (APARNATHI)**Versus****STATE OF GUJARAT**

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Appearance:

MR HARNISH V DARJI(3705) for the Applicant(s) No. 1

MS MONALI BHATT, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

RULE SERVED for the Respondent(s) No. 2,3

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 01/12/2023****ORAL ORDER**

[1.0] Present petition under Articles 14, 21 and 226 of the Constitution of India read with Section 433 of the Code of Criminal Procedure, 1973 is filed seeking following relief:

“(a) To issue a writ of mandamus or a writ, direction or order in the nature of mandamus directing the Jail Authorities to process the case and the State Government to consider the case of petitioner for commutation of his sentence and premature release from jail on his completing more than 14 years in jail as per the policy prevailing on the date of his conviction and expeditiously decide the same in accordance with law;”

[2.0] Upon issuance of notice of Rule, learned APP has placed on record the jail remarks of the present petitioner, which is taken on record.

[3.0] It appears that application submitted by the petitioner under Section 432 of the CrPC is proposal and being forwarded to the Government, which is under process. Considering the aforesaid fact, the application and case of the petitioner be considered as expeditiously as possible preferably within a period of THREE MONTHS from the receipt of this order.

[4.0] With aforesaid direction, present petition stands disposed of. Rule is hereby discharged. Direct service is permitted.

[5.0] In view of disposal of Special Criminal Application No.5820/2023, Criminal Misc. Application No.1 of 2023 in Special Criminal Application No.5820/2023 would not survive and is disposed of.

(HASMUKH D. SUTHAR, J.)

Ajay