

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 1688 OF 2021

**ANOOP MADHUKARRAO KUMRE,
SUPERINTENDENT CENTRAL PRISON,
NAGPUR**

.....APPELLANT(S)

VERSUS

COURT ON ITS OWN MOTION

.....RESPONDENT(S)

ORDER

Learned Counsel for the appellant submits that for the alleged non-compliance of order dated 2nd February, 2021 passed by the High Court in Criminal Appeal No. 105 of 2018, subject matter in which suo moto contempt proceedings were initiated against the petitioner, however, the fact is that the order was passed by the High Court on 2nd February, 2021 to release the person namely, Ravishekhar Bhaskar Londekar and without any further time being consumed, he was released on 3rd February, 2021 after making legal formalities at the end of the present appellant, who is the Superintendent of Central Prison.

Learned Counsel submits that, if at all, there was any delay on

his part, in the given facts and circumstances, unconditional apology was tendered by the appellant which was accepted by the High Court and still further directions have been made under the order impugned for making entry in the service book of the appellant and that will definitely be detrimental to his future interests and, to this extent, at least the order of the High Court needs to be interfered by this Court.

Since the suo moto proceedings were initiated by the High Court pursuant to which the present order impugned has been passed dated 26th February, 2021, after we have heard the learned Counsel for the appellant and taking note of the submissions made and material on record, we also find substance in his submission that once the unconditional apology made by the appellant was taken on record, and proceedings stood dropped, there appears no reason/justification to pass further direction to make entry in the service book of the appellant, more so, when he has maintained an unblemished service record as placed before us for perusal.

Consequently, we dispose of the appeal and set aside the direction in sub-paragraphs (ii) and (iii) of the Paragraph 11 of the operative part of the order impugned dated 26th February, 2021 which are quoted as under:

“ii) The Deputy Inspector General of prisons, Nagpur is directed to take entry about this order in the Service Book of the respondent – Anoop Madhukarrao Kumre.

iii) The directions should be complied within 15 days and affidavit of compliance, along with photocopy of Service book with the entry which would be taken as per this order, should be filed on record of this Contempt Petition along with affidavit of the Deputy Inspector General of Prisons Nagpur, by 15th March, 2021.”

Pending application(s), if any, shall stand disposed of.

.....J.
(AJAY RASTOGI)

.....J.
(ABHAY S. OKA)

**NEW DELHI;
JANUARY 17, 2022.**

ITEM NO.25 Court 13 (Video Conferencing)

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Cr1.) No. 10035/2021

(Arising out of impugned final judgment and order dated 25-11-2020 in CRLWP No. 524/2020 passed by the High Court of Judicature at Bombay at Nagpur)

SUPERINTENDENT, CENTRAL PRISON, NAGPUR

Petitioner(s)

VERSUS

DY. INSPECTOR GENERAL (PRISONS) (EAST) & ANR.

Respondent(s)

(IA No.168599/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Cr1.A. No. 1688/2021 (II-A)

(IA No.169755/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.169756/2021-EXEMPTION FROM FILING O.T.)

Date : 17-01-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Sudhir Voditel, Adv.
Mr. Ravindra Bana, AOR

For Respondent(s) Mr. Tushar Mehta, Sr. Adv.
Mr. Sunil Kumar Jain, AOR
Mr. Shaantanu Jain, Advocate

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

SLP(Cr1.) 10035/2021

Learned Counsel for the petitioner wants time to seek instructions and file unconditional apology by the petitioner.

List after four weeks.

Cr1.A. No. 1688/2021:

The appeal stands disposed of in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)

(Signed order is placed on the file.)