

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 171/2019

(Arising out of impugned final judgment and order dated 24-06-2013 in CRLA No. 1888/2006 passed by the High Court of Gujarat at Ahmedabad)

SHIVABHAI DHULABHAI RATHODIYA

Petitioner(s)

VERSUS

THE STATE OF GUJARAT

Respondent(s)

(IA No. 44331/2019 - EXEMPTION FROM FILING O.T.
IA No. 44330/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 20-01-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. M.K.Tiwari, Adv.
(SCLSC) Mr. Khushant Wadhwa, Adv.
Mr. Chiranjeev Johri, Adv.
Mr. Pradeep Kumar Mathur, Adv.
For Mrs. Laxmi Arvind, AOR

For Respondent(s) Ms. Aastha Mehta, Adv.
Ms. Vishakha, Adv.
Mr. Aniruddha P. Mayee, AOR

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

We have heard learned counsel for the parties.

We are not inclined to interfere with the impugned order. We however find from the Custody Certificate dated 9th November, 2018 that the total sentence undergone by the petitioner is more than thirteen years.

Thus, on date the petitioner would have spent more than

fourteen years in custody and thus his case as per norms is required to be considered for release.

The State Government to process the case and take a decision on the same within a maximum period of one month.

The special leave petition is dismissed in the aforesaid terms.

Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER