

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 2486 of 2015
(In Criminal Appeal No. 282 of 2013)

Ananda s/o. Parasram Panewar,
Age : 40 years,
R/o. Hazzapur,
Taluka : Mudkhed, District : Nanded
(Presently undergoing life sentence at
Harsul Jail, Aurangabad,
bearing convict No. 7599).

.. Applicant.

versus

1. The State of Maharashtra,
through Collector, Aurangabad.
2. The Superintendent,
Central Jail, Harsul.
3. The Superintendent of Police,
Aurangabad.

.. Respondents.

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Mr. Satish A. Gaikwad, Advocate, for the applicant.

*Mr. V.P. Kadam, Additional Public Prosecutor, for
respondent nos.1 to 3.*

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CORAM : V.K. JADHAV, J.

DATE : 19TH MAY 2015
[Summer Vacation]

PER COURT :

1. Heard the learned Counsel for the applicant and the learned Additional Public Prosecutor for the respondents.
2. At the request of the learned Counsel for the applicant, leave to add prayer clause and leave to add the Superintendent of Police, Aurangabad, granted. Amendment be carried out forthwith.
3. The applicant is undergoing the sentence of imprisonment for life, in Central Prison, Harsul, Aurangabad. He has been convicted for offence punishable under Section 302 of the Indian Penal Code and sentenced to suffer imprisonment for life, vide judgment and order dated 15th July 2013, passed by the Sessions Judge, Nanded, in Sessions Case No. 41 of 2012. The applicant has preferred Criminal Appeal No. 282 of 2013 before this Court, against the judgment and order of conviction and the same is pending for final hearing.
4. The marriage of the elder daughter of the applicant is fixed and going to be solemnized on 30th May 2015 at village Hazzapur [Taluka : Mudkhed, District : Nanded]. The applicant has annexed copy of the wedding card along with the application. The applicant has initially prayed for releasing him on temporary bail for a period of one month. However, by way of amendment, the applicant has sought a direction to the Superintendent of Central Jail, Harsul, Aurangabad, to take him under Police escort at the place of marriage of his daughter, for the period from 29th May 2015 to 31st May 2015, at village Hazzapur [Taluka : Mudkhed, District : Nanded].

5. The applicant is the Karta of the family and he has two daughters and one minor son. There is no elder male member in the family except the applicant. The applicant, being father of the bride, is required to participate in the marriage ceremony, at least, for performing the ritual of *Kanyadan*. Previously, the applicant was released on parole in the month of December 2013 and June 2014. He has not flouted any conditions of parole and surrendered before the jail authorities at specified date. In view of this, following order is passed.

6. The Application is hereby partly allowed.

[A] The Superintendent of Central Prison, Harsul, Aurangabad, is hereby directed to send the applicant to village Hazzapur [Taluka : Mudkhed, District : Nanded], under the escort of Police force, to attend the marriage of his daughter, for the period from 29th May 2015 to 31st May 2015.

[B] The respondent no.3 i.e. District Superintendent of Police, Aurangabad, shall make available the Police force for taking the applicant to village Hazzapur [Taluka : Mudkhed, District : Nanded], for the purpose of attending the marriage ceremony of applicant's daughter, for the period from 29th May 2015 to 31st May 2015, and to take him back to Central Prison, Harsul, Aurangabad, in the evening of 31st May 2015.

7. The Application is disposed of in the above terms.

8. Parties to act on an authenticated copy of this order.

(V.K. JADHAV)
JUDGE

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