

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

**APPELLATE SIDE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 978 OF 2015**

Shaikh Amin Shaikh Bapu,  
Age 40 years, Occu. Nil,  
R/o Presently in Central Prison Harsool,  
Aurangabad, Dist. Aurangabad.  
Prisoner No.3413.

... **PETITIONER**

**VERSUS**

The State of Maharashtra,  
Through Deputy Inspector-General  
of Prison, Central Prison, Aurangabad.

... **RESPONDENT**

\*\*\*

Mrs. Renuka Ghule-Palve, advocate (appointed) for Petitioner.

Mr. M.M.Nerlikar, APP for Respondent / State

\*\*\*

**CORAM : A.B.CHAUDHARI &  
INDIRA K. JAIN, JJ.**  
**DATED : 9<sup>th</sup> October, 2015.**

**JUDGMENT: [Per Indira K.Jain, J.]**

1] Rule. Rule is made returnable forthwith. Heard with the consent of the learned counsel for the parties.

2] The subject matter of present petition is challenge to the order dated 6.6.2015, passed by the respondent, Deputy Inspector General of Prisons, Central Prison, Aurangabad, rejecting the parole leave to the petitioner and quashing and setting aside the same.

3] Pursuant to the notice issued by this court, respondent no.2 filed affidavit in reply. It is stated that police report is against the petitioner. On earlier occasion when he was released he did not surrender on scheduled date and was arrested after 3118 days.

4] We have heard the learned counsel for the parties and examined the record. It is not in dispute that after over stay petitioner was arrested after 3118 days. Thus, we find that the reason recorded by the respondent for rejecting application to grant parole leave to the petitioner is legal, correct and in accordance with the Rules.

5] In that view of the matter, Writ Petition being devoid of substance stands dismissed. Rule is discharged. No order as to costs.

6] Fees of the learned counsel appointed is quantified at Rs.1,500/- (Rs. One Thousand Five Hundred Only).

**[ INDIRA K. JAIN, J.]**

**[A.B.CHAUDHARI, J.]**

dbm/crwp978.15