

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

CRIMINAL WRIT PETITION NO. 1172 OF 2015

Gopal s/o Onkar Patil

... Petitioner

VERSUS

Divisional Commissioner, Aurangabad & Ors.

... Respondents

.....

Mr S. A. Nagarsoge, Advocate (appointed) for the petitioner
Mr K. S. Patil, APP for respondent/State

.....

CORAM : **A. B. CHAUDHARI &
INDIRA K. JAIN, JJ.**

DATE : **12TH OCTOBER, 2015.**

PER COURT:

. This is an application filed by prisoner for grant of parole.

2. The allegations are that, the petitioner had committed murder of husband of complainant - Laxmibai Shivraj Patil and is undergoing life imprisonment. At earlier point of time, he came to the village on parole or furlough and he had abused the wife of the deceased and threatened her with abusive language. Not only that, once he caught hold of her hairs and assaulted her. She accordingly filed a complaint to the Court. We thus find that, family of the deceased has a danger from the prisoner if he is released on parole or furlough. The facility of releasing the prisoners on parole or furlough cannot be allowed to be misutilized in this fashion. This Court has

already requested the Government to revise the parole and furlough rules in order to take care of such situation. It appears, as yet, the revision of rules have not been revised. But, then we can't ignore the fact that the convict of murder of the husband of the complainant - Laxmibai cannot be allowed to move freely in the village and assault the complainant and use of abusive language and create terror in the village. That is never the purpose and object of releasing the prisoners on furlough or parole. As a matter of fact, the prisoner is not at all entitled to enter the village in such a situation. It is clear from the record that, the facility of parole or furlough was fully abused by him in the past whenever he was released on parole or furlough. We cannot countenance such type of conduct of the prisoner and as such reject the request for release on parole or furlough. Writ Petition is, therefore, rejected with costs in the sum of Rs. 1,000/-.

3. The costs shall be recovered from the wages of the petitioner by the Superintendent of Jail.

[INDIRA K. JAIN, J.]

[A. B. CHAUDHARI, J.]

sgp