

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

34 CRIMINAL WRIT PETITION NO. 1453 OF 2015

MAROTI SOMA SHINDE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Petitioner : Through Jail
APP for Respondents: Mr A G Magre

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: November 23, 2015

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PER COURT :-

1. The application is received through jail, whereby second extension of parole is sought.

2. We have heard the learned APP. The learned APP submits that, already one extension of parole was granted to petitioner. For the same reason, again second extension is sought. Learned APP submits that, show cause notice has been properly issued to the petitioner. The petitioner has overstayed and as such, show cause notice is rightly issued.

3. We have perused the papers. Petitioner was granted parole to attend his ailing wife. First extension was also granted to him on the ground that, his wife was still ailing. Medical certificate dated 21.3.2014 issued by the Medical Officer is placed on record, wherein further investigation and surgical intervention is advised.

4. Petitioner has served his term for 15 years as per the application. Reason appears to be genuine. It is not that said reason has been disbelieved by the authorities. The Medical Officer has given certificate wherein further investigation and surgical intervention is suggested.

5. Considering the reasons given, period of overstay is regularized and show cause notice issued is quashed and set aside.

6. Writ Petition is accordingly allowed.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-