

SSK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 23 OF 2015**

Mohd. Azam Aslam ButtPetitioner
versus
The State of Maharashtra and ors.Respondents

Mr. N. N. Gawankar i/b. Mr. Sharon Patole, advocate for the petitioner.
Mr. S. K. Shinde, PP with Mr. K. V. Saste, APP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATED : 14th JANUARY, 2015.

P.C.:

By this petition under Article 226 of the Constitution of India, the petitioner is challenging the communication of respondent No.2 dated 13th December, 2014. By the said communication, the petitioner was directed to surrender in Nashik Road, Central Jail.

2. The petitioner was granted parole for the period of 30 days which was subsequently extended up to 3rd December, 2014 and he was required to surrender on 4th December, 2014. The petitioner did not surrender. Learned counsel for the petitioner submits that the petitioner was admitted in Dattatreya Nursing Home from 2nd December, 2014 to 8th January, 2015. This submission cannot be accepted as the petitioner after discharge from the said hospital so far has not surrendered in

Nashik Road, Central Jail. There is no justification as to why the petitioner as of today should not surrender in Nashik Road, Central Jail. The petition is, therefore, devoid of any merits and is, accordingly, dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)