

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2214 OF 2015

Manik Ananta Patil

..Petitioner

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. N.N.Gawankar i/b. Mr.M.N.Gawankar for the Petitioner.
Mrs. S.V.Sonawane, APP for the Respondent/State.
Mr. D.B.Patil, Jailor, Yerwada Central Prison is present.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : JUNE 11, 2015.**

P.C.

1. Heard.
2. By this petition filed under Article 226 of the Constitution of India, the petitioner is challenging the condition no.10 imposed by the respondent no.3 in his order dated 5th June, 2015. The petitioner is also seeking direction to the respondent no.3 to allow him to apply for extension of parole.
3. The petitioner is convicted for offence punishable under Section

302 r/w. 120(b) and 149 of the Indian Penal Code and sentenced to suffer life imprisonment by the Supreme Court on 12.1.2000. The petitioner, by his application dated 13th April, 2015 applied to the respondent no.3 for grant of parole leave for a period of 30 days on account of his wife's illness and also for the marriage of his daughter.

4. By the impugned order the respondent no.3 granted petitioner parole leave for the period of 7 days with various conditions, one of which is that no extension would be granted.

5. Learned APP appearing for the respondent concedes that no such condition could have been imposed while granting parole to the petitioner. The said condition is therefore quashed and set aside.

6. So far as the period of parole leave is concerned, the impugned order discloses that the respondent no.3 has granted parole leave in view of the sickness of petitioner's wife and the marriage of his daughter. The marriage of the petitioner's daughter was solemnized on 7th June, 2015. Learned Counsel for the petitioner submits that the petitioner's wife is suffering from hypertension, ischemic heart disease, dysfunctional uterine bleeding and hemorrhoids. He further states that the operation of the petitioner's wife is scheduled to be

held on 17th June, 2015.

7. In the above circumstances, we are inclined to extend the parole leave for a period of 7 days with liberty to the petitioner to apply for extension to the respondent no.3 by tomorrow. The respondent no.3 shall decide the same on its own merits within a period of 7 days. Ordered accordingly.

8. Petition is disposed of in above terms.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)