

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.7 OF 2015

(Mahendra Purushottam Londhe vs. Divisional Commissioner, Nagpur and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri M.N. Ali, Advocate for petitioner.
Smt. M.H. Deshmukh, Additional Public Prosecutor
for respondents.

CORAM : A.B. CHAUDHARI AND
 P.N. DESHMUKH, JJ.
DATED : FEBRUARY 10, 2015

The petitioner has approached this Court being aggrieved by rejection of his application for parole.

The petitioner, who is undergoing life imprisonment for the offence punishable under Section 302 of Indian Penal Code, had applied for grant of parole on the ground of ill health of his daughter Sanika, who was required to be given medical treatment. However, his application was rejected by the impugned order dated 23/11/2014

passed by respondent no.1.

We have heard learned Counsel for the parties and perused the affidavit-in-reply filed by respondents and other relevant documents. On perusal of medical certificate dated 26/7/2014, we find that though petitioner's daughter is said to be ill, her illness does not appear to be serious since she is said to be suffering from malaria, fever and anaemia. Since sufficient time has already lapsed, physical health of petitioner's daughter must have improved. Even otherwise, it is not the case of petitioner that there is nobody to look after his daughter as according to Police report, petitioner's wife is competent to take care of their daughter. Moreover, we also find it necessary to note that earlier when petitioner was released on leave, he did not return within the stipulated period and was required to be arrested by Police after 305 days. In that view of the matter, we find no substance in the criminal writ petition and hence, the same is dismissed.

JUDGE

JUDGE

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