

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

CRIMINAL WRIT PETITION NO.80 OF 2015

(Dinkar Raghunath Chaudhari vs. The Divisional Commissioner 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.

Shri V.A. Thakare, Additional Public Prosecutor for
respondents.

CORAM : A.B. CHAUDHARI AND
 P.N. DESHMUKH, JJ.

DATED : MARCH 4, 2015

The petitioner has approached this Court being aggrieved by rejection of his application for parole by the impugned order dated 19/1/2015 passed by respondent no.1.

Heard learned Counsel for the parties and perused the affidavit-in-reply filed by respondents. It appears that on the earlier occasion when petitioner was released on parole, he was absconding for 346 days and came to be arrested by Police and when he was released on furlough, he surrendered

late by 29 days. It further appears that considering such past record of petitioner, his application for grant of parole claimed on the ground of illness of his wife came to be rejected.

We are thoughtful of the fact that petitioner was absconding for a considerable period and was required to be arrested and brought back to prison when he was on parole. Though petitioner has now claimed parole on the ground of illness of his wife, he has not placed convincing documents on record suggesting that his wife is seriously ill except for medical certificate dated 12/11/2014 issued by Padmavati Hospital that patient needs surgical treatment. The Doctor appears to be simple M.B.B.S. In that view of the matter and considering the fact that apart from two instances as quoted above, the petitioner was habitual in surrendering late on four occasions, we are not inclined to entertain the criminal writ petition. The criminal writ petition is, therefore, dismissed.

JUDGE

JUDGE

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