

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

CRIMINAL WRIT PETITION NO.111 OF 2015

(Suresh Narayan Dakhore 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.

Ms. D.K. Gawali, Advocate (appointed) for petitioner.
Ms. T. Udeshi, Additional Public Prosecutor for
respondents.

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

DATED : MARCH 30, 2015

The petitioner has approached this Court
being aggrieved by rejection of his application for
grant of parole for 30 days on the ground of illness
of his mother and wife by respondent no.1.

Heard learned Counsel for the parties and
perused the affidavit-in-reply of respondents
wherefrom it is revealed that the petitioner is
undergoing life imprisonment for the offence
punishable under Section 302 of Indian Penal Code.
We find that application dated 11/11/2014 made by
petitioner for grant of parole was rejected since it

was filed within one year from the date of earlier parole. According to respondents, petitioner was released on parole from 22/5/2014 to 31/5/2014 and there is prohibition to grant parole twice in a year in view of proviso to Rule 19 of the Prisons (Bombay Parole and Furlough) Rules, 1959.

Considering the above provision and date of application of petitioner being 11/11/2014, we find that the aforesaid Rule categorically bars grant of parole before completion of one year from the date of earlier parole, which in the instant case is 22/5/2014. In that view of the matter, we do not find any substance in the criminal writ petition. Hence, we pass the following order :

Order

Criminal Writ Petition No.111/2015 is rejected.

The fee payable to the learned Counsel appointed for the petitioner is quantified as rupees fifteen hundred.

JUDGE

JUDGE

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