

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

CRIMINAL WRIT PETITION No. 138 of 2015

Narendra Babasing Parihar.

-Versus -

The Divisional Commissioner and another.

*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

Court's or Judge's Orders

Ms. N. Choube, Advocate (appointed) for petitioner.
 Ms. Udeshi, APP for respondents.

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

DATED : 23rd APRIL, 2015.

1. Petitioner has approached this court being aggrieved by rejection of his application for extension of parole by 30 days, claimed on the ground of illness of his mother which came to be rejected by the competent authority on considering adverse police report.

2. We have heard learned counsel for both sides and perused the affidavit-in-reply filed by the respondents.

3. It is noted that petitioner is undergoing life imprisonment for the offence punishable under section 302 of Indian Penal Code and was granted 30 days parole vide order dated 31.5.2014 and was accordingly released. Petitioner was required to surrender on 28.7.2015. However, he applied for extension of said parole upon which fresh verification report was called from concerned police station and the extension was rejected by the impugned order.

4. We have noted that the medical certificate relied upon by the petitioner does not establish serious illness as per Rule 19 of the Prison (Bombay Furlough and Parole) Rules, 1959, nor other medical test reports are relied on by petitioner for extension of parole. In the circumstances we find no reason to interfere with the impugned order dated 25.8.2014

passed by the competent authority. Petition is thus liable to be dismissed as per order below.

ORDER.

1. Criminal Writ Petition No. 138/2015 is dismissed.
2. Legal fees to be paid to the appointed counsel is quantified as Rs. 1,500/-.

JUDGE

JUDGE

Hirekhan