

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

CRIMINAL WRIT PETITION NO. 290 OF 2015

(Kishna Ramaji Kokurde vs. The Divisional Commissioner, Nagpur Division, Nagpur & Anr.)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
JUNE 11, 2015.**

Heard Ms. Sonali Saware, learned counsel (appointed) for the petitioner, Ms. Mehta, learned APP for the respondents.

Perused the reply filed by Respondent No. 1.

The applicant is in open prison and his request for grant of parole on account of illness of his mother has been rejected by the order dated 05.02.2015. The order mentions that the reason of illness given in the application for parole is incorrect and surety furnished by him is not ready to stand as such.

Ms. Saware, learned counsel submits that the mother is old and is not keeping good health. The sister of the applicant has expressed unwillingness to stand a surety. In this situation, the applicant can be released by accepting cash surety to enable him to look after his old mother.

The learned APP submits that the mother is aged about 68 years but does not suffer from any serious ailment. In this situation, no ground for release on parole is made out.

A perusal of police report dated 30.01.2015

supports the contentions of the learned APP. The impugned order dated 05.02.2015 has been passed on that basis. In spite of the reasons given in that order, the applicant has not pointed out any serious ailment suffered by his mother. He has also not pointed out that there is no other family member to look after her.

In this situation, we do not find any perversity in the impugned order. Criminal Writ Petition is rejected.

The counsel charges are fixed at Rs.1,500/- (Rs. One thousand five hundred only).

JUDGE

JUDGE

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