

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

CRIMINAL WRIT PETITION NO. 474 OF 2015.

Laxman Bhaurao Bhagat..vs.. The Divisional Commissioner, Amravati Division, Amravati and anr.

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

Court's or Judge's orders

Mrs.Yogita Thengre, Adv. (appointed) for the petitioner.
Ms. N.P.Mehta, APP for the respondents.

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

DATED : JULY 27, 2015.

1. The petitioner has approached this Court being aggrieved by rejection of his application for extension of parole leave by Divisional Commissioner, Amravati Division, Amravati by impugned order dated 22nd of March, 2015, sought on the ground of ill-health of his wife.

2. Heard Mrs.Yogita Thengre, learned counsel appointed for the petitioner and Ms.N.P.Mehta, learned Additional Public Prosecutor for the respondents.

3. Perused the affidavit-in-reply filed by respondent no.1. We have noted that the petitioner is undergoing sentence for the period of fourteen years for the offence punishable under Section 304(1) of the Indian Penal Code and was earlier released on parole for thirty days from 3rd of January, 2015 to 3rd of February, 2015 and on 8th of January, 2015 petitioner has applied for extension of parole leave on the above stated ground. According to the respondent, pending his application for extension of parole leave, petitioner surrendered on 9th of March, 2015 though his parole granted earlier ended on 3rd of February, 2015. We thus find that the petitioner has surrendered late. We have further noted that by impugned order, the extension of parole was rejected on

the ground that medical certificate and test reports were not placed on record to establish further extension. No additional proof and medical test reports were submitted by the petitioner. In that view of the matter, we do not find any reason to interfere with the impugned order as from the documents on record it cannot be said that wife of petitioner is suffering from any serious ailment. Petition is therefore devoid of any merit Hence, the following order.

ORDER

Criminal Writ Petition No.474 of 2015 is dismissed.

Fees to be paid to the learned counsel appointed for the petitioner are quantified at Rs.1500/-.

JUDGE

JUDGE

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