

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

CRIMINAL WRIT PETITION NO.492 OF 2015

(Pramod Devidas Khedekar vs. The Divisional Commissioner, Amravati Division, Amravati 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 Rohan Chhabra, Advocate (appointed) for
petitioner.

Smt. N.R. Tripathi, Additional Public Prosecutor for
respondents.

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

DATED : AUGUST 5, 2015

The petitioner has approached this Court
being aggrieved by rejection of his application for
extension of parole for 30 days sought on the ground
of illness of his mother.

Heard learned Counsel for the parties and
perused the affidavit-in-reply filed by the
respondents. We find that the petitioner is
undergoing life imprisonment for the offence
punishable under Section 302 of Indian Penal Code.

It is noted that vide order dated 11/12/2014 petitioner was released on parole for 30 days on the ground of illness of his mother and he thereafter applied for extension of parole on 26/12/2014 and his application was allowed. While on parole leave, petitioner applied for further extension of 30 days on the same ground. However, his request was rejected for want of necessary documents as petitioner had submitted medical certificate only and from that document, it cannot be said that petitioner's mother was suffering from any serious illness. Even otherwise, according to affidavit-in-reply of the respondents, petitioner has already availed 30 days parole leave on the same ground. In that view of the matter, on considering Rule 19 of the Prisons (Bombay Furlough and Parole) Rules, 1959, we do not find any ground to interfere with the order passed by the Competent Authority as no test reports establishing seriousness of illness of mother of petitioner are placed on record. The criminal writ petition is devoid of merits and hence, the same 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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