

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

CRIMINAL WRIT PETITION No.496 of 2015

Dilip Jaipal Bagde (In Jail)

-Versus -

The Divisional Commissioner, Nagpur Division, Nagpur and another.

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

Court's or Judge's Orders

Mr. C.D. Wasade, Advocate (appointed) for petitioner.
 Mr. H.D. Dubey, APP for respondents.

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

DATED : 11th August, 2015.

1. The petitioner has approached this court being aggrieved by the impugned order passed by the competent authority rejecting parole leave for 30 days.

2. Heard learned counsel for both the sides. Perused affidavit-in-reply filed by the respondents and the documents in support of petition. We have noted that petitioner is undergoing imprisonment for life for the offence punishable under section 302 of IPC by judgment dated 29.02.2012.

3. We have noted that petitioner has prayed for said leave on the ground of illness of his wife. It is noted that the application was made on 7.1.2015 which on considering adverse police report came to be rejected on 3.3.2015 as there was no supporting documents placed on record by petitioner to establish his claim. In fact, we find that due to the demise of petitioner's mother on 24.1.2015 petitioner was already on parole leave on that ground. Even during the course of hearing petitioner has relied upon medical certificate dated 16.12.2014 according to which petitioner's wife is certified to have been suffering from Rheumatic Arthritis and nothing more.

4. In that view of the matter, we find no reason to allow the

petition. Hence, we make the following order.

ORDER.

1. Criminal Writ Petition No. 496/2015 is dismissed.
2. Legal fees to be paid to the appointed counsel is quantified as Rs.1,500/-.

JUDGE

JUDGE

Hirekhan