

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

CRIMINAL WRIT PETITION NO. 521 OF 2015.

Ganpat Shalikram Bhangde ..vs.. The Divisional Commissioner, Nagpur Division, Nagpur and anr.

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

Court's or Judge's orders

Ms.Radha Mishra, Adv. (appointed) for the petitioner.
Ms.N.P.Mehta, APP for the respondents.

**CORAM : A.B.CHAUDHARI AND
P.N.DESHMUKH, JJ.
DATED : AUGUST 4, 2015.**

1. The petitioner has approached this Court being aggrieved by rejection of his application dated 13th of January, 2015 for parole leave on the ground of illness of his father, which came to be rejected by impugned order dated 6th of April, 2015, passed by competent Authority.

2. Heard Ms.Radha Mishra, 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 find that the petitioner is undergoing sentence of life imprisonment for the offence punishable under Section 302 of the Indian Penal Code.

4. We have noted that the application was rejected on the ground that father of the petitioner is not ill. The medical certificate relied by petitioner in support of his claim is dated 13th of November, 2014 by which it is certified that the petitioner's father is suffering from non-ietunic hepatitis and is advised one month rest.

5. Considering above fact and since there is no medical reports or certificate with reference to illness of father of petitioner as on today, we do not find any reason to interfere with the order of the competent Authority. Moreover, according to the police report we find that in the event petitioner is released on parole, there is apprehension of danger put forth by witnesses, namely, Mahadeo Chafale and Ku.Vanita Chafale who had deposed against the petitioner in the trial.

6. In that view of the matter, we find no substance in the petition. In the result, we pass the following order.

ORDER

Criminal Writ Petition No. 521 of 2015 is dismissed.

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

JUDGE

JUDGE

Chute.