

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

CRIMINAL WRIT PETITION NO.533 OF 2015.

Bandu @ Hemant Yadavrao Kothe ..vs..The State of Mah. and anr.

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

Court's or Judge's orders

Mr.N.H.Samundre, Adv. for the petitioner.
Mr.D.B.Patel, APP for the respondents.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : JULY 8, 2015.

Petition came to be filed seeking extension of parole leave on the ground of illness of wife of the petitioner/prisoner and necessity of Angiography. This Court on 2nd of July, 2015 while issuing notice in the matter, directed petitioner to place on record affidavit pointing out that Angiography is to be performed shortly. Before said affidavit could be filed, petitioner came to be arrested.

In this situation, learned counsel for the petitioner has placed before this Court additional affidavit dated 3rd of July, 2015 with doctor's certificate mentioning therein that Angiography was necessary within four days. The said hospital has referred petitioner's wife to Government Medical College and Hospital at Nagpur.

Learned APP submits that petition for extension of parole is rendered infructuous. Advocate Samundre fairly does not dispute that. However, he requests the Court to pass suitable order considering the facts.

In this situation, we direct Divisional Commissioner, Nagpur Division, Nagpur to consider the certificate issued by Padmawati Hospital on 3rd of July, 2015 and if it is found genuine, to arrange for

release of petitioner for enabling him to make necessary arrangement for Angiography of his wife. This exercise be completed within period of seven days from today.

Petitioner to communicate this order to Divisional Commissioner, Nagpur.

Hamdast allowed.

Proceedings disposed of accordingly.

JUDGE

JUDGE

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