

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL WRIT PETITION (wp) NO. 775 OF 2015

Jaspalsing Charansing Saini

v.

State of Maharashtra & anr.

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

Courts's or Judge's orders

**Coram : B.P .Dharmadhikari and
V.M.Deshpande, JJ.**

Date : 01st DECEMBER, 2015

The petitioner was released on 01.4.2015 on parole leave for 30 days on the ground of illness of his wife. Immediately after his release, on 04.4.2015 the petitioner applied for further extension of parole leave for 30 days and submitted medical certificate along with that application. The application remained pending and hence this Court was approached in Criminal Writ Petition No. 373/15. This Court on 07.5.2015 directed adjudication of that application within a period of one week. Impugned order dated 15.5.2015 has been passed thereafter. It mentions that the report called from the office of Superintendent of Police, Buldana, was received by the competent authority on 07.5.2015 itself. The illness of applicant's wife did not appear to be serious and, therefore, extension was not granted.

The fact that the very same illness was diagnosed as serious and parole was granted earlier on that ground is not in dispute. The petitioner states that he made application for further extension of 30 days to treat his wife. He also pointed out that his daughter was due for delivery and in such circumstances as his wife was not keeping well he was required to be at his residence to look after his wife and also the daughter. The reason of advanced pregnancy of daughter does not find consideration in the impugned order.

Had there been extension, the petitioner would have reported by 04.6.2015. Accordingly, he has reported back on 01.6.2015. Hence, in these circumstances, we grant application for extension, as filed. Parole leave of petitioner shall be deemed to have been extended till 1.6.2015.

Writ petition stands allowed. No costs.

JUDGE

JUDGE

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