

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO.1591 OF 2016**

1. Suryakant Chandrakant Gade
Age : 49 years, Occ : Agri.,
2. Shashikant Chandrakant Gade
Age : 47 years, Occ : Agri.,

Both R/o Maigaon-Devi,
Tq. Kopargaon, Dist. Ahmednagar.

...PETITIONERS

VERSUS

The State of Maharashtra

...RESPONDENT

...
Mr.S.S. Jadhav, Advocate for Petitioners.
Mr.A.A. Jagatkar, A.P.P. for Respondent.
...

**CORAM: S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATE : 8TH DECEMBER 2016

ORDER :

. The learned A.P.P. appearing for the Respondent/State has tendered across the Bar copy of the order dated 8th December, 2016 passed by

the Divisional Commissioner, Nashik. The same is taken on record and marked 'X' for identification purpose.

2. Heard the learned counsel appearing for the petitioners and the learned A.P.P. appearing for the Respondent/State. It appears that after filing of this Petition, the Divisional Commissioner, Nashik has passed the order on 8th December, 2016. Upon careful perusal of the contents of the said order, it appears that the authority has taken decision to release the petitioner no.1 on parole for seven days on certain conditions. In that view of the matter, the grievance of the petitioner no.1 stands redressed.

3. So far as petitioner no.2 is concerned, he did not apply with the authority, therefore, the prayer in the Petition is premature. We grant liberty to petitioner no.2 to apply to the

Competent authority for releasing him on parole for one week. In case, such application is filed, the concerned authority to decide the same within two days from filing such application on its own merits.

4. The Petition is partly allowed and the same stands disposed of.

5. The parties shall act upon authenticated copy of this order.

[K.K. SONAWANE, J.]

[S.S. SHINDE, J.]

sga/