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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.438 OF 2016.

Manish Girish Rathod Petitioner

V/s.

The State of Maharashtra Respondent

Petition through jail.

Smt. V.R. Bhonsale, APP for the Respondent- State.

CORAM : SMT. V. K. TAHILRAMANI, ACTING C.J. &
DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 9TH FEBRUARY 2016.

ORAL ORDER: [Per: Smt. V.K. Tahilramani, Acting C.J.]

1. The petitioner has preferred this petition through jail, hence we appoint Mr. Yashpal Thakur, Advocate, to represent the petitioner in this petition.

2. Heard both sides.

3. Rule.

4. Rule is made returnable forthwith.

5. The petitioner preferred an application for parole, which came to be rejected. It appears that being aggrieved

thereby the petitioner preferred an appeal, which also came to be rejected by order dated 8.7.2014.

6. Application for parole was made by the petitioner on the ground of illness of his wife. It is seen that the Medical Certificate relied upon by the petitioner for being released on parole is dated 24.6.2013. Now, we are in the year 2016. It is not possible to consider the prayer for parole in the year 2016, on the basis of Medical Certificate which is dated 24.6.2013.

7. In this view of the matter, the petitioner to prefer fresh application for parole if today any ground exists for seeking parole. If such application is preferred, the concerned authorities to decide the same as expeditiously as possible.

8. Looking to the above facts, it is not possible to grant parole on the basis of medical certificate which is of the year 2013, hence Rule is discharged.

9. Copy of this order be sent to the petitioner who is lodged in Kolhapur Central Prison.

10. Fee be paid to the appointed advocate as per rules.

[ACTING CHIEF JUSTICE.]

[DR. SHALINI PHANSALKAR-JOSHI, J.]