

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 276 OF 2016

Sadashiv Krushna Tare.

..Petitioner.

Versus

State of Maharashtra & Others.

..Respondents.

Mr. D. G. Khamkar for the Petitioner.

Mrs. U. V. Kejriwal, learned APP for the State.

Coram : RANJIT MORE &
V. L. ACHLIYA, JJ.

Date : **February 23, 2016.**

P. C. :

1. Heard the learned Counsel appearing for the respective parties and learned APP for the State. The petition is filed seeking parole leave of one month. Learned Counsel appearing for the Petitioner does not dispute that the Petitioner has approached this Court directly without making an application before the Competent Authority. On this ground itself we are not inclined to entertain the writ petition.

2. That apart, an affidavit-in-reply filed on behalf of the prison authority reveals that the earlier Petitioner had sought parole leave on the ground that his son is suffering from renal failure, which application was rejected in view of the adverse

report. Another application was made by the Petitioner, but this time on the ground that his very son is suffering from cancer. This application too came to be rejected in view of the adverse report. On one occasion, when the Petitioner was released on parole leave for the period of 30 days, he did not report back. Ultimately, he was arrested and brought back to jail after 3885 days. All these facts and circumstances do not permit us to consider the request of the Petitioner in the present case where he has sought parole leave on the ground of marriage of his son is to take place on 25th February 2016. The Wedding Card placed on record itself shows that there are number of persons to take care of the marriage of Petitioner's son. The presence of the Petitioner at the marriage of his son is thus not necessary. The petition is bereft of any merit and the same is, therefore, dismissed.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]