

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 737 OF 2015

Gagasing Amarsing Tak	...	Petitioner
vs.		
The State of Maharashtra	...	Respondent

None for the petitioner.
Mrs.A.S.Pai, APP, for the State.

**CORAM: SMT. V.K.TAHILRAMANI,ACTING C.J. &
SMT. SADHANA S.JADHAV,J.
DATE : 5th January, 2016.**

ORAL ORDER (PER SMT. V.K.TAHILRAMANI,A.C.J.)

The petitioner has preferred this petition through jail. Hence, we appoint Advocate Ms. Rohini Dandekar, who is on the panel of the Advocates of the High Court Legal Services Committee, Bombay to represent the petitioner in this petition.

2. Rule. Rule is made returnable forthwith.
3. The petitioner has preferred an application for parole on the ground that his brother Gabbarsingh had expired on 18.9.2014. Hence, he was seeking parole to perform the last rites relating to the death of his brother Gabbarsingh which, according to the petitioner, can be performed within 1 year of the death. The said application came to be rejected by

order dated 19.1.2015. Hence, this Petition.

4. The affidavit filed by Shri Ramesh V.Kamble, Superintendent of Nashik Road Central Prison, Nashik, shows that thereafter the petitioner preferred another application for parole on 16.4.2015 on the ground of death of his mother Smt. Reshamkaur. The said application came to be granted by order dated 17.4.2015 and the petitioner was released on parole for a period of 15 days. Thereafter, the petitioner preferred another application for parole on 28.5.2015 on the ground of death of his wife Smt. Satkaur. The said application for parole came to be granted by order dated 30.5.2015 and the petitioner was released on parole for a period of ten days. Thus, it is seen that after the first application dated 20.9.2014 preferred by the petitioner for parole was rejected, he was released on parole on two occasions. During this period, he could very well have completed the last rites relating to the death of his brother Gabbarsingh.

5. In this view of the matter, no interference is called for. Rule is discharged. The Petition is disposed of.

6. Fees be paid to the appointed Advocate as per Rules.

[SMT.SADHANA S.JADHAV, J.]

(ACTING CHIEF JUSTICE)