

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.951 OF 2016

Narendra Lalmani Giri

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. D.G. Khamkar for the Petitioner.

Mrs. A.S. Pai, APP for the Respondent No.1-State.

**CORAM: SMT. V.K. TAHILRAMANI &
SMT. ANUJA PRABHUDESSAI, JJ**

DATED: 21st March, 2016

ORAL ORDER: [PER SMT. V.K. TAHILRAMANI, J.]

Heard both sides.

2. Rule. By consent Rule is made returnable forthwith.
3. The Petitioner preferred an application for parole on the ground that his wife required a surgery. The said application came to be rejected mainly on the ground that no medical certificate was annexed to the application for parole. It is an admitted fact that when the Petitioner preferred an application for parole, no medical certificate was annexed to the application. The learned counsel for the Petitioner submitted that when he preferred an

appeal before the Home Department. The medical certificate was annexed to the appeal before the Home Department. However, this is not the correct procedure. Correct procedure is that when an application for parole is preferred on the ground of illness, necessary medical certificates have to be annexed at that time to the said application.

4. In view of the above we do not find any fault with the authorities for rejecting the application for parole. However, if as of today any ground exists for seeking parole, it will be open to the Petitioner to prefer an application for parole annexing necessary certificates. If any, such application is preferred it shall be disposed of as expeditiously as possible.

5. The writ petition is disposed of in above terms.

8. Rule is discharged.

(SMT. ANUJA PRABHUDESSAI,J.) (SMT. V.K. TAHILRAMANI,J.)