

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3264 OF 2013**

Dilip Tulshiram Koli

.. Petitioner

Vs.

The State of Maharashtra

.. Respondent

....
Ms. Nasreen S.K. Ayubi Advocate for Petitioner
Mrs. A.S.Pai A.P.P. for the State
....

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

DATED : MARCH 16, 2016

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

1 Heard both sides. Rule. Rule is made returnable forthwith.

2 The petitioner preferred an application for parole on the ground of illness of his wife. The said application came to be rejected. Appeal preferred by the petitioner against the said order of rejection came to be dismissed, hence, this petition.

3 The application of the petitioner for parole came to be rejected mainly on the ground that earlier when the petitioner was released on parole on 7.6.2006, he did not report back in time and eventually, he had to be arrested by the police and brought back to the prison. There was overstay of 1602 days on the part of the petitioner, hence it was apprehended that if the petitioner is released, he will abscond.

4 The application for parole is of the year 2012. Today after four years, it would not be possible to grant parole to the petitioner on the ground of illness of his wife in the year 2012. If today, any fresh ground exists for the petitioner to seek parole, it would be open to the petitioner to prefer a fresh application for parole. If such an application is preferred it be decided expeditiously. In this view of the matter, we are not inclined to interfere in the order of rejection of application for parole. Thus, writ petition is dismissed. Rule is discharged.

[SMT. ANUJA PRABHUDESSAI, J.]

[SMT. V.K.TAHILRAMANI, J.]