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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.481 OF 2015
IN
CRIMINAL WRIT PETITION NO.1523 OF 2015

Sampat Kale Applicant.
V/s.
The State of Maharashtra and ors Respondents

Mr. Harjeet Kaur Bhagwat Singh, for the
Applicant.
Mr. H. J. Dedia, APP for the Respondent-
State.

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

DATE : 2ND FEBRUARY 2016.

P.C:

1. Heard learned counsel for the applicant and learned APP for the State.
2. The case of the applicant is that he had sought parole on the ground of ailment of his wife. His wife was supposed to be suffering from slip-disc syndrome and she has been advised surgery. The said application came to be rejected. The appeal preferred against the said order also came

to be dismissed. Hence applicant has prayed for parole or for conditional bail on the ground of ailment of his wife.

2. The affidavit of Superintendent of Yerwada Central Prison shows that the applicant had earlier applied for parole leave. He was granted parole leave from 4.6.2011 to 5.7.2011 i.e. for a period of 30 days. The applicant did not report back in time. Ultimately, he had to be arrested by the police authorities and brought back to the prison. There was overstay on the part of the applicant for more than two years to be precise 842 days. On account of this, it is apprehended that if the applicant is again released on parole, he may abscond. We cannot say that the apprehension is unfounded. Moreover, it is admitted fact that the applicant has grown up children, they can very well take care of the mother. In this view of the matter, we are not inclined to grant prayer made by the applicant. Application is rejected.

[ACTING CHIEF JUSTICE.]

[DR. SHALINI PHANSALKAR-JOSHI, J.]

C E R T I F I C A T E

Certified to be true and correct copy of the original
signed order.