

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION No. 316/2016.

Parmeshwar Siddharth Wankhade (in Jail)

-VERSUS-

The State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.

DATE : DECEMBER 08, 2016.

Heard Mrs. Y.N. Thengre, learned
Counsel [appointed] for the petitioner and Shri
J.Y. Ghurde, learned A.P.P. for respondents.
Perused impugned orders dated 29.06.2015.

2. To attend to his ailing mother,
petitioner was released on parole leave for a
period of 30 days on 31.03.2015. He sought
extension and moved an application for that
purpose on 18.04.2015. The second application
for extension was moved by him on 23.05.2015.

2

Both these applications have been rejected together on 29.06.2015.

3. It appears that the petitioner has reported back on 01.07.2015. Because of this rejection, he is stated to have reported late by 61 days.

4. We have perused reply as also the impugned order. Necessary details are lacking in the impugned order. Police authorities at Akola have on 29.05.2015, after verifying all facts, given their no objection for extending parole.

5. From records available with the learned A.P.P., it is seen that first extension sought for by the petitioner was of 60 days. In impugned order it is mentioned that the said extension was only for a period of 30 days. The period for which second extension was sought is not apparent in the impugned order. Date on which order dated 29.06.2015 was communicated to the petitioner is also not on record. It appears that on 01.07.2015, he has reported back voluntarily and he was not required to be arrested.

3

6. In this situation, as we find that the competent authority has not looked into the relevant material and order 29.06.2015 is not self explanatory, we quash and set it aside. We direct the authorities to pass fresh orders in accordance with law, within next four weeks.

7. Writ Petition is partly allowed and disposed of.

8. Fees payable to the learned counsel appointed for the petitioner is quantified at Rs.1500/-.

JUDGE

JUDGE

Rgd.