

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

CRIMINAL WRIT PETITION No. 471/2016.

Maroti Shankar Mangam (In Jail)

-VERSUS-

The State of Maharashtra and another.

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
& A.S. CHANDURKAR, JJ.

DATE : SEPTEMBER 15, 2016.

Heard Shri V.P. Mohod, learned Counsel
(appointed) for the petitioner and Shri J.Y. Ghurde,
learned A.P.P. for respondents. Perused records.

2. Petitioner was released on parole on
09.02.2013 for a period of 30 days on the ground of
illness of his mother. On 02.03.2013, he sought
extension and the same was rejected on 07.03.2013 on
the ground that necessary papers were not made
available.

3. On 21.03.2013, he again applied and
instead of enclosing original documents with it, he

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submitted photocopies. In this situation, because of the earlier rejection, application dated 21.03.2013 also came to be rejected.

4. Learned counsel for the petitioner submits that the petitioner has necessary original papers and hence, request for extension of parole should be directed to be considered afresh.

5. Learned A.P.P. points out that the orders passed on 15.04.2013 rejecting application dated 21.03.2013 is being questioned almost after a period of three years.

6. The date on which petitioner reported back after availing parole has not come on record. Respondents have not pointed out whether he reported back late or he reported voluntarily or was required to be arrested. As said data, is absent, we are not in a position to take any decision. However, petitioner has with him original papers. Respondents to look into the original documents and find out whether the extension can be regularized. It cannot be forgotten that earlier he was granted parole on account of illness of his mother.

7. We therefore, direct that decision on

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extension of parole on both the applications be taken by the competent Authority within a period of four weeks, after original papers are made available by the petitioner.

8. Writ Petition is thus, partly allowed and disposed of. No costs.

9. Fees for the counsel appointed is quantified at Rs. 1500/-.

JUDGE

JUDGE

Rgd.

CERTIFICATE

I certify that this judgment/order uploaded is a true and correct copy of original signed judgment/order.

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Pvt. Sec.