

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

CRIMINAL WRIT PETITION NO. 720/2016.

Mohd. Farukh Mohd. Yusuf Sheikh (In Jail)

-VERSUS-

The Divisional Commissioner, Amravati 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 27, 2016.

Heard Shri Nir Nagman Ali, learned
Counsel for the petitioner and Shri Khan, learned
A.P.P. for respondents.

2. The petitioner could not attend marriage
of his son performed at Hyderabad on 25.09.2016, on
account of certain practical difficulties. It appears that
escort charges worked out were too high and time for
its payment was also not available.

3. Now marriage reception is to be held at
Mumbai on 02.10.2016.

4. Learned counsel for the petitioner is
relying upon the amended provisions of Rule 19 of The

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Prisons (Bombay Furlough and Parole) Rules, as have come into force from 26.08.2016.

5. Perusal of the amended provision reveal that in emergency, parole, maximum for a period of seven days can be allowed. Earlier denial of such facility to such prisoner, like petitioner, does not appear to be continued under the amended provisions of Rule 19.

In this situation, we direct the respondents to obtain necessary bonds, undertaking from the petitioner, as also from his surety and release him on parole on 30.09.2016, to enable him to proceed to Mumbai by train. After reaching Mumbai, he shall immediately report to the police station, to be informed in advance to the respondents. On 02.10.2016 i.e. the day on which marriage reception is scheduled, he will not be required to report to any police station. On 03.10.2016, he will report at Police station before leaving Mumbai for reaching Amravti. He will reach Amravati on 04.10.2016 and report at Central Prison, Amravti. Appropriate arrangement shall be worked out by the respondents for this purpose.

6. Accordingly keeping open all rival

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contentions, in present situation we partly allow the present Writ Petition and dispose of the same.

7. Office of learned A.P.P. to communicate this order to the respondents. Copy of this order be furnished to learned A.P.P. to act upon.

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.