

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

CRIMINAL WRIT PETITION No. 730 OF 2016.

Tanaji Vitthalrao Bhosale

-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 &
KUM. INDIRA JAIN, JJ.

DATE : DECEMBER 08, 2016.

Heard Ms. R.V. Ramteke, learned counsel [appointed] for the petitioner and Ms. M.H. Deshmukh, learned A.P.P. for respondents. Perused impugned order dated 06.08.2015 refusing extension of parole leave.

2. Refusal is on the ground of mother, for whose treatment parole extension is sought, is residing with elder brother and elder brother is competent to look after her. It is further found that there was no evidence about illness of mother.

3. Learned A.P.P. has pointed out that similar application for extension was moved before this Court vide Criminal Writ Petition No. 902/2015 and it was rejected on 22.12.2015.

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4. Learned counsel for the petitioner has pointed out that, that rejection is not now relevant, because thereafter petitioner is discharged under Section 169 of Criminal Procedure Code from offences allegedly committed by him under Section 392, 397 read with Section 34 of Indian Penal Code and Section 3/25 of Indian Arms Act.

5. The reasons given in the impugned order show that illness of mother and necessity of attendance by the petitioner is not substantiated.

6. The order therefore, does not show any jurisdictional error or perversity. Writ Petition is, therefore, rejected.

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

JUDGE

JUDGE

Rgd.