

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH

CRIMINAL WRIT PETITION NO. 1000 OF 2015

Satish s/o Yadavrao Dhoke,
C-7783, detained in Central
Prison, Nagpur (presently in
jail).

... PETITIONER

Versus

1. State of Maharashtra
through Divisional Commissioner,
Nagpur Division, Civil Lines,
Nagpur.
2. Nilesh Raut,
Assistant Commissioner of Police,
Crime Branch, Nagpur City,
Nagpur.
3. Sunil Kolhe,
Additional Commissioner of Police
(Crime), Nagpur City, Nagpur.
4. Avinash Kumar,
Deputy Commissioner of Police,
Circle No. 1, Nagpur City, Nagpur.
5. Vasant Aane,
Assistant Commissioner of Police,
Sitabuldi Division, Nagpur City,
Nagpur.
6. A.A. Katkade,
Senior Police Inspector, Police
Station Ambhaziri, Nagpur.
7. C.S. Oghade,
Additional Commissioner of Police
(Crime), Nagpur City, Nagpur.
8. Kailash Kadese,

Deputy Commissioner of Police,
Circle No. 1, Nagpur City, Nagpur.

9. N.S. Kolhe,
Senior Police Inspector, Police Station
Ambhaziri, Nagpur.

10. Sanjay Latkar,
Deputy Commissioner of Police,
Circle No. 2, Nagpur City, Nagpur.

11. B. BH. Dhogre,
Assistant Commissioner of Police,
Sadar Division, Nagpur City, Nagpur.

12. Dipali Masirkar,
Additional Commissioner of Police
(Crime), Nagpur City, Nagpur.

13. D.G. Gavai,
Assistant Commissioner of Police,
Sadar Division, Nagpur City, Nagpur.

14. P.P. Dharmashi,
Assistant Commissioner of Police,
Sitabuldi Division, Nagpur City,
Nagpur.

15. N.L. Ritthe,
Senior Police Inspector, Police
Station, Ambhaziri, Nagpur City,
Nagpur.

16. Ravindre Kadam,
Additional Commissioner of Police,
(Crime), Nagpur City, Nagpur.

17. Home Ministry through its
Secretary, State of Maharashtra,
Mantralaya, Mumbai- 32 and other
Police Officers.

18. Superintendent of Police,
Central Prison of Nagpur.

... RESPONDENTS

Ms. Radha Mishra, Advocate (appointed) for the petitioner.
Mrs. N.R. Tripathi, APP for the respondents.

.....

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
FEBRUARY 24, 2016.**

ORAL JUDGMENT : (PER V.M. DESHPANDE, J.)

Rule. Rule is made returnable forthwith and heard finally with the consent of parties.

2. By the present petition, the petitioner is seeking release from prison on parole on the ground that his father is not keeping good health. The prayer of the petitioner was rejected by the authorities vide order dated 25.05.2015, which is impugned in the present petition.

3. On hearing the parties to the petition and after having gone through the reply and hearing the submissions of the learned counsel for the petitioner, it is clear that the petitioner has not filed any document on record either before the authorities below or before this Court to show the illness of his father. Further a report is made available on record by the police, however, the said report is not in respect of present leave but it was filed on 17.12.2014 and that was in respect of earlier application which shows that though

the father of the petitioner was having some heart problem but he was not an indoor patient and the mother of the petitioner is competent to take care of his father.

4. Further in reply, it is pointed out by the authorities that when on earlier occasion, the petitioner was released on death parole which was extended by 30 days, during the extended period, the petitioner has committed an offence punishable under Sections 386, 452 and 34 of I.P.C. and, therefore, an offence was registered against him vide Crime No. 318 of 2012. These facts demonstrate that the petitioner is not entitled for the discretionary relief from this court. Hence, the present Criminal Writ Petition is dismissed.

The charges for the counsel appointed for the petitioner are fixed at Rs.1,500/- (Rs. One thousand five hundred only).

JUDGE

JUDGE

*GS.