

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 189 OF 2017

FRANCIS D'SA, PRESENTLY LODGED IN
CENTRAL JAIL COLVALE.,

... Petitioner

Versus

STATE, THR. SUPERINTENDENT OF JAIL
COLVALE AND ANR.,

... Respondents

Mr. T. George John, Advocate for the petitioner.

Mr. P. Faldessai, Additional Public Prosecutor for the
respondents.

Coram:- C. V. BHADANG &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 10th November 2017

P.C.

Heard the learned Counsel for the petitioner and the learned
Additional Public Prosecutor for the respondent State.

2. The petitioner is seeking release on parole on the ground that sister of the petitioner is to undergo Cataract surgery of her right eye. Indisputably, the petitioner was earlier released on parole when the Cataract surgery of the sister of the petitioner was there for left eye. The respondent has refused to grant parole on the ground that the petitioner has recently surrendered after expiration of the earlier parole on 20/10/2017. The petitioner had sought extension of earlier parole, which was rejected and it

is, thereafter, that the petitioner had surrendered and shortly thereafter the petitioner has again applied for the release on parole. What is significant is that the petitioner has nowhere claimed that there are no family members of his sister, who can look after her.

3. Considering the nature of surgery, we do not find that a case for release on parole is made out. In any event, in the absence of a claim that there are no other family members, who can look after sister of the petitioner, we are of the opinion that no case for release on parole is made out.

4. Criminal Writ Petition is, accordingly, dismissed.

PRITHVIRAJ K. CHAVAN, J.
SMA

C. V. BHADANG, J.