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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 189 OF 2017

Shilpa Yogesh Ingale

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

Mr. Prosper D'Souza, Advocate appointed for the Petitioner
Mrs. G.P. Mulekar, A.P.P for the State

**CORAM : SMT. V. K. TAHILRAMANI AND
M.S. KARNIK, JJ.**

DATED : 1ST FEBRUARY, 2017

P.C. :

Heard both sides.

2. The Petitioner preferred an application for parole on the ground of her own illness. According to the Petitioner she is suffering from Hypothyroidism with b/1 Varicose Veins lower extremities. The said application came to be rejected by order dated 27th May, 2016.

3. Being aggrieved thereby the Petitioner preferred an Appeal. The said Appeal was dismissed by an order dated 24th October 2016. Hence, this Petition.

4. The case of the Petitioner is that she is suffering from Hypothyroidism with b/1 Varicose Veins lower extremities. The application of the Petitioner for parole was rejected on the ground that treatment was being provided to the Petitioner in the prison. As far as thyroid is concerned the test reports of the Petitioner show that Serum Thyroxine [T4] is 12.7 whereas the normal range is 4.5 - 12.0. As far as thyroid is concerned the Petitioner is being treated for the same by the prison Doctors in the prison hospital. Even as far as other ailments of the Petitioner are concerned the medical report show that adequate medical treatment is being provided to the Petitioner. In any event Rule 19 of the Prisons (Bombay Furlough and Parole) Rules, 1959 does not provide for parole on the ground of illness of the prisoner himself/herself.

5. Looking to the fact that the medical problems of the Petitioner are being adequately looked into by the prison authorities we do not think this is a fit case for grant of parole. Hence, Rule is discharged.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI, J.)