

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 417 OF 2017**

Ramjan Vazir Shaikh	]
C/5437, Age 31 years,	]
Occ: Convict, presently lodged	]
at Kolhapur Central Prison, Kalamba	]
Kolhapur	].. Petitioner

Vs.

The State of Maharashtra	]
At the instance of :	]
	]
1. Through Superintendent,	]
Kolhapur Central Prison,	]
Kalamba-7	]
	]
2. Chief Secretary,	]
Prison, Home Deptt.	]
Mantralaya, Mumbai	]
	]
3. Divisional Commissioner	]
Pune Region, Pune -1	]
	]
4. Commissioner of Police,	]
Thane City at Thane	]
	]
5. Senior Police Inspector,	]
Kalwa Police Station,	]
Kalwa, Thane	].. Respondents

....

Ms. Rohini Dandekar Advocate appointed for Petitioner

Mr. H.J.Dedia A.P.P. for the State

....

**CORAM : SMT.V.K.TAHILRAMANI AND
REVATI MOHITE DERE, JJ.**

DATED : MARCH 03, 2017

ORAL JUDGMENT [PER SMT. V.K.TAHILRAMANI, J.]:

1 Heard both sides.

2 The petitioner preferred an application for parole on
13.10.2012 on the ground of illness of his wife. The said
application was rejected by order dated 5.1.2013. Being
aggrieved thereby, the petitioner preferred appeal. The appeal
came to be allowed by order dated 4.7.2014. Pursuant to the
order granting parole, the petitioner was released on parole
during the period from 23.7.2014 to 21.8.2014. Thereafter, the
petitioner preferred an application for extension of parole on
4.8.2014. Thereafter the petitioner preferred second
application for extension of parole on 28.8.2014. The first
application for extension of parole came to be rejected. The
petitioner is now seeking extension of parole for a period of 61
days i.e. starting from 22.8.2014.

3 The first application for extension of parole came to
be made on the ground that the wife of the petitioner was
required to be operated for "appendicitis". The medical

certificate to that effect is dated 30.7.2014. Thereafter reliance was placed by the petitioner on the medical certificate dated 21.8.2014 which also shows that the wife of the petitioner was required to be operated. Both these certificates are of Indira Gandhi Memorial Hospital, Bhiwandi, Dist. Thane. The first application of the petitioner for extension of parole came to be rejected on the ground that the said certificate was not found to be genuine. The Medical Superintendent of Indira Gandhi Memorial Hospital, Bhiwandi has stated that the said certificate was not issued by his hospital. As the first application for extension of parole came to be rejected, there was no question of considering second application for extension of parole. Looking to the reasons stated in the order dated 17.4.2015 whereby the application for first extension of parole came to be rejected, we are of the opinion that no interference is called for, hence, petition is dismissed. Rule is discharged.

[REVATI MOHITE DERE, J.]

[SMT.V.K.TAHILRAMANI, J.]