

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 671 OF 2017**

Shrikant Laxman Surwase	]
Age 27 years, Occ: Nil,	]
Residing at 56, Rajashree Residency	]
Solapur	]
Prisoner No. C/16476	].. Petitioner

Vs.

The State of Maharashtra	]
(Through Yerawada Central Prison,	]
Pune.	]..Respondent

....

Mrs. Indrayani Koparkar Advocate for the Petitioner
Mrs. G.P. Mulekar A.P.P. for the State

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

DATED : MARCH 31, 2017

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

1 Heard both sides.

2 The petitioner preferred an application on 15.7.2015 for parole on the ground of illness of his mother. The said application was rejected by order dated 21.9.2015. Being

aggrieved thereby, the petitioner preferred an appeal. The appeal came to be allowed by order dated 4.3.2016. Pursuant to the said order, the petitioner was released on parole on 19.3.2016 for a period of 30 days. On 30.3.2016 the petitioner preferred an application for extension of parole for a period of 30 days. The said application was granted by order dated 17.6.2016 and the parole period was extended by a period of 30 days i.e. from 18.6.2016 to 17.5.2016. On 2.5.2016 the petitioner preferred second application for extension of parole for another period of 30 days. The said application was not decided. However, in the meantime, as soon as the period of 30 days was over, the petitioner reported back to the prison on his own on 16.6.2016.

3 The application of the petitioner for parole came to be rejected as he did not submit any proof in relation to the illness of his mother. However, the order of rejection itself shows that the petitioner had submitted medical certificate to show that his mother required angiography and angioplasty.

4 We have perused the jail record of the petitioner. It is

seen that on three occasions, the petitioner was released on furlough and on all the three occasions, he reported back to the prison in time. On 8.8.2013, 27.3.2015 and 17.6.2016 the petitioner was released on furlough and on all the occasions he reported back to the prison in time. On 23.8.2013 the petitioner was released on parole and he reported back on his own to the prison two days prior to the period of parole which was granted to him. Thereafter, the petitioner was released on parole only in the present case. Looking to the record of the petitioner which shows that except this occasion, on all the occasions the petitioner has reported back in time to the prison on his own and looking to the medical certificate and the fact that the conduct of the petitioner is good, on humanitarian ground we are inclined to extend the period of parole. Parole period is extended from 17.6.2016 for a period of 30 days.

5 Rule is made absolute in above terms. Petition is disposed of.

[M.S.KARNIK, J.]

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