

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

CRIMINAL WRIT PETITION NO.1223 OF 2017

Smt. Jaya Talakhsi Chheda ...Petitioner
Versus
The State of Maharashtra & Anr. ...Respondents

.....

Mr. N.S. Munderggi i/b. Mr. S.S. Musale for the Petitioner.
Mrs. A.S. Pai, APP for the Respondent -State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 31st MARCH, 2017.

P.C.:-

Heard Mr. Munderggi, the learned counsel for the Petitioner and Mrs. Pai, the learned APP for the Respondent -State. The Petition is filed for extension of parole granted to the Petitioner by the order dated 28th February, 2017 for a further period of 30 days.

2. Mr. Munderggi submitted that the Petitioner's mother is ailing. She is required to be operated and therefore, she applied for extension of parole on 15th March, 2017 before the Divisional Commissioner, Nashik Division on which no order has been passed and since she is required to surrender on 3rd April, 2017 the Petitioner is constrained to file this Petition.

3. Mrs. Pai, the learned APP submits that during the pendency of the Petition the Petitioner's application for extension of parole was rejected by order dated 24th March, 2017.

4. We have heard Mr. Mundergi, learned counsel for the Petitioner and the learned APP. The Petitioner was released on parole on 3rd March, 2017 for the period of 30 days. The Petitioner has annexed certificate of Indira Gandhi Hospital at Exhibit-'F'. Certificate shows that the Petitioner's mother is suffering from Intramural Multiple Fibroid with Menorrhagia and she is required to undergo hysterectomy. It is the case of the Petitioner that her married sister is staying separately and there is nobody to look after the Petitioner's mother.

5. The learned APP, on instructions stated that the Petitioner's mother indeed is ailing and is hospitalised. She further submits that there is a caretaker to look after Petitioner's mother. The learned APP finally stated that the extension at the most of 15 days may be granted.

6. In the light of the facts stated hereinabove, we extend the Petitioner's parole for a period of 15 days from 3rd April, 2017. The condition in the order dated 28th February, 2017 directing the Petitioner to report to Navghar Phatak Road Bhainder East Police

Station twice a day is relaxed as to enable the Petitioner to take care of her ailing mother and the Petitioner is directed to attend Navghar Phatak Road Bhainder East Police Station on every alternate day starting from 3rd April, 2017 till the end of 15 days period. The Petitioner shall surrender before the Nashik Road Central Prison on 18th April, 2017.

7. Subject to above, the Writ Petition is disposed of

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)