

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2076 OF 2017

Janardan Baban Bhopi	.. Petitioner
Vs.	
The State of Maharashtra	.. Respondent

Ms.Rohini Dandekar, for the Petitioner.
Mrs.G.P. Mulekar, APP for State.

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

12th OCTOBER, 2017

ORAL JUDGMENT (PER SMT. V.K.TAHILRAMANI, J.) :

1. Heard both sides.
2. The petitioner preferred an application for parole on 24/10/2016 on the ground of illness of his wife. The said application was rejected by order dated 20/03/2017. Being aggrieved thereby the petitioner preferred Appeal. The Appeal was dismissed by order dated 13/06/2017. Hence this Petition.
3. It is seen that application of the petitioner for parole came to be rejected on the ground that the Superintendent of Nashik Road Central Prison has not recommended the release of the petitioner

on parole. The Appellate order says that the Appeal of the petitioner is pending before the higher Court, hence Appeal came to be rejected by order dated 13/06/2017. Thus, it is seen that the order on which the application of the petitioner for parole was rejected and the Appellate order dated 13/06/2017 are on entirely different grounds. They are not at all in consonance with the each other. In this view, orders dated 20/03/2017 and 13/06/2017 are set aside. The concerned Authority shall consider and decide the application of the petitioner for parole afresh. The same to be done expeditiously. Rule is made absolute in the above terms.

4. Office to communicate this order to the petitioner who is in Nashik Road Central Prison.

(M.S.KARNIK, J.)

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