

Rane

* 1/3 * APPLN-268-2017 (sr.901)
Friday, 16.6.2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 268 OF 2017
IN
WRIT PETITION NO. 633 OF 2017

Matin Nabib ShaikhApplicant

V/s.

The State of Maharashtra and Ors.Respondents

Mr. Santosh S. Musale, Advocate for the applicant.

Mr. H.J. Dedhia, APP for respondent, State.

**CORAM :- SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : 16 June, 2017.

P.C. :-

1. Heard both sides.
2. By order dated 24th March, 2017 this Court granted parole to the petitioner on the ground of illness of his wife.

The parole was granted for a period of 30 days. Thereafter, the applicant preferred Criminal Application No. 242 of 2017 whereby he sought extension of parole for a further period of 30 days. The said application was granted and parole period was extended for a further period of 30 days. Today, the applicant is again seeking extension of parole for a further period of 30 days on the ground that his wife has to undergo Internal Laproscopic Appendectomy which operation is scheduled on 30th June, 2017.

3. When Application No. 242 of 2017 was preferred for extension of parole, reliance was placed on medical papers which showed that the wife requires Internal Laproscopic Appendectomy. In view of the medical papers relied on, which showed that the wife requires Internal Laproscopic Appendectomy, by order dated 4th May, 2017, the parole period was extended for a further period of 30 days. Now the petitioner is again seeking extension of parole for a further period of 30 days on the very same ground. The same ground was given when the order dated 4th May, 2017 was passed, however, till today, the operation has not

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been conducted. There was sufficient time during which the operation could have been conducted. In any event, it is not a major operation. Looking to the fact that the applicant has been on parole for a period of 60 days during which no operation has been conducted, it is seen that, again and again, extension of parole is sought on the same ground, hence, we are not inclined to further extend the period of parole and application is rejected.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)