

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2825 OF 2017

|                         |                  |
|-------------------------|------------------|
| Rupsingh Anna Devre     | .....Petitioner  |
| V/s.                    |                  |
| Divisional Commissioner |                  |
| and Anr.                | .....Respondents |

Ms. Rohini Dandekar, Advocate Appointed for Petitioner.  
Mr. H.J.Dedhia, APP for Respondent-State.

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

**DATE : AUGUST 4, 2017.**

**ORAL JUDGMENT : [Per Smt. V.K.Tahilramani, J.]**

Heard both sides.

2           The petitioner preferred an application for parole on 4.4.2016. The said application came to be rejected by order dated 15.2.2017. Being aggrieved thereby, the petitioner preferred an appeal. The said appeal came to be dismissed by the order dated 4.5.2017 hence, this petition.

3           Parole is being sought on the ground of illness of wife of the petitioner. It is admitted by the authorities that

the wife of the petitioner is ill. However, according to them, it is not possible to gauge the seriousness of the illness. Medical certificate relied upon by the petitioner shows that wife of the petitioner needs surgical intervention and hospitalisation. Jail record of the petitioner since the year 2009 shows that on six occasions, he was released on parole and on all occasions, he reported back to the prison on due date on his own. So also, from 2009, on seven occasions, the petitioner has been released on furlough and on all the occasions, he has reported back to the prison on his own on due date. Looking to this fact and the medical certificate, on humanitarian ground, we are inclined to grant parole to the petitioner. Hence, the following order:

(I) Petitioner to be released on parole for a period of 30 days on the usual terms and conditions as set out by the authorities.

4 Rule is made absolute in the above terms.

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

**(SANDEEP K. SHINDE, J)      (SMT. V.K. TAHILRAMANI, J)**