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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4316 OF 2017

Datta Sidram Kamble ...Petitioner
V/s
The State of Maharashtra & ors. ...Respondents
.....
Mrs. Harjeet Kaur Bhagwant Singh, Advocate for the petitioner.
Mrs. G.P. Mulekar, A.P.P. - State.
.....

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

DATE : 16th NOVEMBER, 2017.

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

Heard both sides. The petitioner is seeking extension of parole for a period of 30 days. The petitioner preferred an application for parole on 10/3/2017 on the ground of illness of his wife. The said application was granted by order dated 19/6/2017 and parole of 45 days was granted to the petitioner. Pursuant to the said order the petitioner was released on parole on 25/7/2017. The petitioner preferred an application on 10/8/2017 for extension of parole, however, the said application was rejected by order dated 30/8/2017.

2. Learned APP on instructions states that the petitioner has in fact already surrendered back to the prison on 9th September, 2017 i.e. as soon as 45 days parole period expired. The jail record of the petitioner also shows that he has surrendered on 9/9/2017. The said jail record is taken on record and marked 'X' for identification. In view of the fact that the petitioner has already surrendered, at this stage it is not possible to grant extension of parole. However, as and when the operation of the wife of the petitioner is scheduled, it would be open to the petitioner to prefer a fresh application of parole. If such application is made, the concerned authority shall deal with the same as expeditiously as possible in accordance with law.

3. Rule is discharged.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)