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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4441 OF 2017**

Akbar Khan Ajmer Khan	.. Petitioner
Vs.	
The State of Maharashtra	.. Respondent

.....

Ms. Rohini M. Dandekar, Advocate appointed for the petitioner.

Mrs. G.P. Mulekar, A.P.P. - State.

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**CORAM : SMT. V.K. TAHILRAMANI ACTING C.J.
AND M.S.KARNIK, J.**

DATE : 6th DECEMBER, 2017.

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

Heard both sides.

2. The petitioner preferred an application for parole on 19/1/2017. The said application came to be rejected by order dated 29/5/2017. Being aggrieved thereby, the petitioner preferred an appeal. The appeal was dismissed by order dated 13/9/2017, hence, this petition.

3. The application of the petitioner for parole came to be rejected earlier on the ground that the illness which the

mother is suffering from is not found to be serious. It is an admitted fact that the mother is suffering from Uterine Bleeding, however, medical certificate also shows that she has been suffering from uretic colic and the medical problem is serious in nature. The jail record of the petitioner shows that he was released on parole on 4/1/2016 and he has reported back on the due date to the prison on his own. The petitioner was also released on furlough on two occasions i.e. on 27/2/2015 and 8/2/2017 and on both dates, the petitioner has reported back to the prison on his own. It is further stated that the conduct of the petitioner in the prison is good. In view of these facts, we are inclined to release the petitioner on parole for a period of 45 days on usual terms and conditions as set out by the jail authorities.

4. Rule is made absolute accordingly.

(M.S.KARNIK, J.)

(ACTING CHIEF JUSTICE)