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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4578 OF 2017

Suresh Shankar Sawant ...Petitioner
V/s
The State of Maharashtra ...Respondent.

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Mrs. Farhana Shah, Advocate for the petitioner.

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

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**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 preferred this application for parole on 20/7/2016 on the ground of illness of his wife. The said application was rejected. The appeal preferred against the order of rejection was dismissed, hence the petitioner approached this Court. By order dated 28th September, 2017 this Court granted parole leave for a period of 30 days to the petitioner.

2. Extension of parole is sought for 60 days on the ground that the wife of the petitioner was to be operated. The operation

could not take place as Creatinine level was not normal and only after it becomes normal surgery can be performed.

3. Learned APP stated that they have recorded the statement of the Doctor and the Doctor has stated that it is not possible to predict the exact date of the surgery. Further it is seen from the statement of the Doctor dated 15/11/2017 produced by the learned APP that wife of the petitioner is in fact suffering from PID with Small Hemorrhagic cyst in Right ovary and she needs to be operated for Hysterectomy. The statement of the Doctor shows that she cannot be operated as of now as the Creatinine level are not normal. In this view of the matter, as a last chance, on humanitarian ground, we are inclined to extend the parole for a period of 30 days on the same terms and conditions on which he was released on parole. If operation is not performed within this time, the petitioner will surrender and thereafter apply for parole as and when the date of operation is fixed. Writ Petition is allowed in above terms.

4. Rule is made absolute.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)