

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4334 OF 2016
(THROUGH JAIL)**

Prashant Kamlakar Vinde	...Petitioner
Versus	
The State of Maharashtra	...Respondent

Ms. Rohini Dandekar, appointed Advocate for the Petitioner

Mr. H. J. Dedhia, A.P.P for the Respondent-State

**CORAM : SMT. V. K. TAHILRAMANI &
REVATI MOHITE DERE, JJ.
MONDAY, 23rd JANUARY, 2017**

P.C. :

1. The petitioner preferred an application for parole on the ground of illness of his father. The age of the father of the petitioner is 70 years and he is suffering from diabetic foot/ulcer on the right foot. The application was rejected by order dated 17th June, 2016. Being aggrieved thereby, the petitioner preferred an appeal. The appeal came to be dismissed by order dated 3rd September, 2016. Hence, this petition.

2. The application of the petitioner for parole came to be rejected on the ground that if the petitioner is released on

parole, there is possibility that the petitioner may commit another crime. It is further stated in the order of rejection that no inquiry could be made with the complainant and other witnesses. Hence, on these two grounds, the application of the petitioner for parole came to be rejected.

3. As far as the second ground is concerned, the petitioner cannot be made to suffer, if the Authorities did not make inquiries with the complainant and witnesses. The Nominal Roll of the petitioner shows that the conduct of the petitioner in jail is satisfactory. The genuineness of the medical certificate submitted by the petitioner is not doubted. Looking to these facts, we are inclined to grant parole to the petitioner.

4. The petitioner to be released on parole for a period of 30 days on the usual terms and conditions as set out by the competent Authority.

5. Rule is made absolute on the above terms.

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

(REVATI MOHITE DERE, J.)

(V. K. TAHILRAMANI, J.)