

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4537 OF 2016**

Rakesh Vilas Jadhav,
Age - 32 years, Convict-673
Present lodged at Yerwada Open Dist.
Prison, Class-I, Pune - 411 006 ...Petitioner

Versus

1. State of Maharashtra
 2. The Divisional Commissioner, Pune
 3. The Superintendent,
Yerwada Central Prison,
Pune - 6
- ...Respondents

Mr. Prosper D'Souza, appointed Advocate for the Petitioner

Mr. H. J. Dedia, A.P.P for the Respondents-State

CORAM : SMT. V. K. TAHILRAMANI &
REVATI MOHITE DERE, JJ.
TUESDAY, 17th JANUARY, 2017

ORAL JUDGMENT (Per Smt. V. K. Tahiramani, J.) :

1. Heard both sides.
2. The petitioner preferred an application for parole, on the ground of illness of his wife. The application was granted

and he was released on parole on 4th March, 2009 for a period of 30 days. The petitioner had to surrender on 2nd April, 2009. In the meanwhile, the petitioner preferred an application for extension of parole from 2nd April, 2009 to 1st May, 2009. The said application was not decided and it remained pending. In the meanwhile, the petitioner preferred second application for extension on parole for the period from 2nd May, 2009 to 31st May, 2009. The grievance of the petitioner is that both his applications for extension of parole were not decided and instead, it is stated that he had overstayed for 57 days and prison punishment of cutting of remission of 4 days for each day of overstay was imposed. Thus, for overstay of 57 days, remission of 228 days was cut.

3. The grievance of the petitioner is that though a long time has elapsed, his applications for extension of parole have not yet been decided and instead prison punishment has been imposed on him of cutting of remission of 4 days for each day of remission.

4. Leaned A.P.P on instructions states that the first application of the petitioner for extension of parole from 2nd April, 2009 to 1st May, 2009 has been granted by order dated 18th October, 2016 and the second application for extension of parole will be decided within a period of two weeks from today. The learned A.P.P further states that as the first application for extension of parole has been granted, the prison punishment will be accordingly modified and if the second application for extension of parole is also granted, the prison punishment will be set-aside.

5. In this view of the matter, no further orders are necessary. Rule is discharged.

(REVATI MOHITE DERE, J.)

(V. K. TAHILRAMANI, J.)