

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.278 of 2017

(Khemchand Niranjana Neware vs. The Divisional Commissioner, Nagpur and another)

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Ms S.B.Khobragade, Advocate for the petitioner.
 Mrs.Nandita Tripathi, A.P.P. for the Respondents 1 and 2.

CORAM : SMT VASANTI A NAIK &
 M. G. GIRATKAR, JJ.

DATE : 8.9.2017.

By this Criminal Writ Petition, the petitioner challenges the order of the Divisional Commissioner rejecting the application of the petitioner for regular parole leave.

In view of the provisions of Rule 4 (13) and Rule 19 (2) of the Prisons (Bombay Furlough and Parole) Rules, 1959, the petitioner would not be entitled to seek regular parole leave as the petitioner is convicted for the offence of rape. Since the order is passed in consonance with the provisions of the Rules 4(13) and 19(2) of the Rules of 1959, the impugned order calls for no interference.

In the result, the Writ Petition fails and is dismissed with no order as to costs.

JUDGE

JUDGE

**jaiswal*