

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

Criminal Writ Petition No.587 of 2017

(Shivkumar Krupal Machale .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.
 Mr.Ambarish Joshi, A.P.P. for the Respondents 1 and 2.

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

DATE : 5.9.2017.

By this Criminal Writ Petition, the petitioner challenges the order of the Divisional Commissioner, Nagpur Division, Nagpur, dt.7.3.2017 rejecting the application of the petitioner for grant of parole leave.

Since the petitioner is convicted for an offence under the provisions of Section 376(2)(f) of the Penal Code, in view of the provisions of Rule 4 r/w. Rule 19(2) of the Prisons (Bombay Furlough and Parole) Rules, 1959, the petitioner would not be entitled to avail regular parole leave.

Since there is no infirmity in the order of the Divisional Commissioner in rejecting the application of the petitioner, the Writ Petition is dismissed with no order as to costs.

JUDGE

JUDGE

**jaiswal*