

FARAD CONTINUATION SHEET No.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH AT NAGPUR

**CRIMINAL WRIT PETITION NO. 869/2017**

(AB.RAHMAN AB.BASHIR (IN JAIL) **VERSUS** THE DIVS. COMMISSIONER, NAGPUR DIVISION & ANR)

Office Notes, Office Memoranda of Coram,  
 appearances, Court's orders of directions  
 and Registrar's orders

Court's or Judge's orders

Ms S.B. Khobragade, counsel for the petitioner.  
 Ms T. Khan, A.P.P. for the respondents.

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

**DATE : SEPTEMBER 20, 2017.**

By this criminal writ petition, the petitioner seeks a direction against the respondents to grant medical parole leave of seven days to the petitioner.

According to the petitioner, the wife of the petitioner is suffering from Fibroids of uterus and is required to be operated. It is the case of the petitioner that there is nobody else to look after the wife of the petitioner at the time of the operation and after the operation is performed.

Ms Khan, the learned Additional Public Prosecutor appearing for the respondents, states that when the petitioner was released on furlough leave in the year 1999, he had absconded for fifteen years. It is stated that he was required to be brought to the prison on 11.08.2015. It is stated that if the petitioner is released on parole or furlough leave, it is likely that he would abscond.

In the circumstances of the case, we are not inclined to grant the prayer made in the petition. The petitioner has a married daughter and the married daughter can as well take care of her mother and look after her during the operation and after it is performed. The

apprehension of the respondents that the petitioner may again abscond if he is released on parole leave is justified.

In the circumstances of the case, we dismiss the criminal writ petition with no order as to costs.

**JUDGE**

**JUDGE**

APTE