

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL W.P.NO. 5335 OF 2017**

Nihal Rais Shaikh @ Nihrulla Kamartulla
Shaikh C/5928, Kolhapur Central Prison,
Kolhapur .. Petitioner

Vs.

The State of Maharashtra & Ors. .. Respondents

....
Mr. Prosper D'Souza Advocate appointed for Petitioner
Mr. Arfan Sait A.P.P. for the State
....

**CORAM : SMT.V.K.TAHILRAMANI ACTING C.J.
AND M.S.SONAK, J.**

DATED : AUGUST 03, 2018

ORAL JUDGMENT [PER SMT. V.K.TAHILRAMANI, ACJ.]:

1 Heard both sides.

2 The petitioner preferred an application for parole on 20.9.2014. The said application came to be rejected by order dated 18.3.2016. Being aggrieved thereby, the petitioner preferred an appeal. The said appeal came to be dismissed by order dated 17.2.2017, hence, this petition.

3 It is seen that the petitioner is seeking parole on the ground of his own illness, however, Rules of Parole do not permit the release of the petitioner on the ground of self illness. Moreover, it is the duty of the Jail authority and State to provide for all the necessary medical treatment to the prisoners. In this view of the matter, no case is made out for interference, hence, Rule is discharged. Petition is dismissed.

Needless to state that the petitioner shall be provided with all necessary medical treatment and medicines.

4 Office to communicate this order to the petitioner who is in Kolhapur Central Prison, Kolhapur.

M.S.SONAK, J.

ACTING CHIEF JUSTICE