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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 355 OF 2018

Sachin Manohar Khambe
Aged : 35 years,
residing at Khamba Chawl,
Room No.2, Jambhalipada,
Adarsha Nagar, Kalina,
Santacruz (East), Mumbai
and at presently lodged at
Kolhapur Central Prison,
Kalamba.

...Petitioner

Vs.

1. The State of Maharashtra
2. The Inspector General of Prison
Western Zone, Pune.
3. The Jail Superintendent,
Kolhapur Central Prison,
Kalamba.
4. The Senior Inspector of Police
Parksite Police Station, Mumbai.

...Respondents

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Mr. Harjeet Kaur Bhagwant Singh, Advocate for the petitioner.

Mr. Arfan Sait, A.P.P. - State.

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

DATE : 5th FEBRUARY, 2018.

ORAL JUDGMENT (PER SMT. V.K. TAHILRAMANI, A.C.J.) :-

Heard both sides.

2. The petitioner is praying that he be released on parole on the ground of his brother's marriage which is going to take place on 11/2/2018. The petitioner preferred an application for emergency parole on the ground of his brother's marriage which is going to take place on 11/2/2018, however, the said application came to be rejected on 27/1/2018.

3. Learned APP pointed out that by judgment and order dated 31/12/2002 the petitioner has been convicted in MCOC Special Case No. 13 of 2000 under Section 302 and other sections of Indian Penal Code as well as under Section 3 of the MCOC Act and sentenced to life imprisonment. In addition, learned APP has tendered communication dated 2/2/2018 of the Superintendent of Kolhapur Central Prison, Kalamba, Kolhapur, which states that on 5/10/2010, when the petitioner was being taken to Sessions Court to attend the case, while

returning the petitioner tried to run away. Thereafter, on 27/2/2012, the petitioner was produced before the Court and while returning back at 7.10 p.m., the petitioner tried to run away from Dadar railway station. The petitioner came to be arrested on the next day. It is stated that on account of this conduct of the petitioner, it is apprehended that if the petitioner is released on parole, he will run away, hence, parole should not be granted to the petitioner.

4. Looking to the above conduct of the petitioner, we are not inclined to grant parole, hence, Writ Petition is rejected.

5. Rule is discharged.

(M.S.KARNIK, J.)

(ACTING CHIEF JUSTICE)