

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO.1310 OF 2019

Khandu S/o. Ravan Shinde, (C-8039)
Central Prison Aurangabad.

.. Petitioner

Versus

The State of Maharashtra
Through Divisional Commissioner,
Aurangabad.

The State of Maharashtra
Through Superintendent Central Prison,
Aurangabad.

.. Respondents

...

Mr. Rupesh A. Jaiswal, Advocate for Petitioners.

Mrs. V. N. Patil Jadhav, APP for Respondents.

...

**CORAM : T.V. NALAWADE &
K. K. SONAWANE, JJ.**

DATED : 29th AUGUST, 2019.

ORAL JUDGMENT (PER : T. V. NALAWADE, J.) :-

Rule. Rule made returnable forthwith. Heard finally, with consent of learned counsels for the parties.

2. The order made by respondent No. 1 rejecting application for parole leave of the prisoner is under challenge. The parole leave is refused on the ground that wife and father of prisoner have no objection to release the prisoner on parole. Other grounds need not be considered, if there is doubt about sickness of daughter and doubt about no objection of father and wife, the concerned Police Officer to verify the things and after verification of the said aspects, decision may be taken again on parole application of the petitioner. Therefore, the

order of rejecting parole of present petitioner is quashed and set aside. The matter is remanded back to the authority concern for reconsideration after collecting fresh Police report and verification of sickness of daughter and objection of father and wife, and then, respondent authority to take decision on it, as expeditiously as possible, preferably within a period of one month from the date of receipt of order. Criminal Writ Petition is allowed, accordingly. Rule is made absolute in those terms.

Sd./-

[K. K. SONAWANE]
JUDGE

Sd./-

[T.V. NALAWADE]
JUDGE

MTK