

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5208 OF 2019**

Santosh A. Chavan ... Petitioner
V/s.
The State of Maharashtra and ors. ... Respondents

Nihitha Shankaran (Appointed Advocate) for the Petitioner.
Dr. F.R. Shaikh, APP for the Respondent – State.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.
DATE : DECEMBER 09, 2019.**

P.C.

1] Heard learned Counsel (appointed) and learned APP. The petitioner seeks parole leave.

2] He has been sentenced on 21st March 2014 under Sections 302, 149, 396 and 397 of Indian Penal Code, 1860 (for short “IPC”). For Section 396 of IPC, he has to undergo life imprisonment while under Section 397 of IPC, he has to complete 7 years.

3] Rule 4(2) of the Maharashtra Prison (Parole and Furlough) Rules, operates as bar. Prisoner like the petitioner

cannot seek any leave till he completes stipulated period of punishment under Sections 396 and 397 of IPC. That part of period is yet to expire.

4] We, therefore, find no merit in the petition and the same is dismissed.

5] This order be communicated to the petitioner -prisoner in jail.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)