

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1216 OF 2019

Chingaya @ Sameer Nizam Pathan ... Petitioner

Versus

State of Maharashtra ... Respondents

None for the Petitioner.

Mr. Arfan Sait, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI &
P.D. NAIK, JJ.**

DATE : MARCH 15, 2019

P.C.:

Learned APP points out that request made has become infructuous as 40th day religious ceremony must have been over by now. The death of the mother of the petitioner occurred on 13/1/2019. On 18/1/2019, one day parole was allowed to him despite adverse police report. This order was served upon him on 22/1/2019. Thereafter immediately on the next day, he submitted the present application. It appears that he forwarded that application to Aurangabad Bench of this Court and from that Bench it has been forwarded it to principal seat at Mumbai. In the

Application dated 23/1/2019, request is that he should be released for performing the necessary religious ceremony of 40th day.

2. He did not avail one day parole earlier allowed and now period of 40 days has already expired. Hence, present prayer has become infructuous which is accordingly disposed of.

3. Registry to communicate this order to the prisoner.

(P.D. NAIK, J.)

(B.P. DHARMADHIKARI, J.)