

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.233 OF 2018

Rashid Ahmed Abdul Bashir Shaikh

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Ms. Snehal Chaudhari, Legal Aid Advocate a/w Mr. Pranot Pawar for the
Petitioner.

Mrs. M.H. Mhatre, APP for the Respondent/State.

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

DATE :12/03/2019.

P.C.:

. In terms of directions contained in the order dated 15/2/2019 learned APP has shown to us the order dated 12/1/2018 passed by the Divisional Commissioner, Pune rejecting parole leave to petitioner. Copy of that order should be served upon learned counsel (appointed) for the petitioner immediately. The order shows that application seeking parole was received on 29/8/2015. According to learned counsel reason was of ill-health of father. Thus, that application remained pending for more than 2 years and 4 months.

2. Facts in the present matter prima facie show that rejection of application on 12/1/2018 is also not within the knowledge of the petitioner. However, we keep this contention open.

3. Learned counsel for petitioners insists for grant of compensation. We keep that request also open for consideration.

4. In the present matter parole was sought on ill-health of father and neither the petitioner nor respondents have placed anything on record to show that said need subsists even today. We therefore find that by passage of time the prayer has become infructuous.

5. However, keeping all contentions of the petitioner open and with liberty to the petitioner to move appropriate request again if the ground still subsists and with direction to respondent to take prompt decision on application if any, moved before it, we dispose of the present petition. No costs.

(P.D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)