

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

WRIT PETITION NO. 2774 OF 2019

Bacchi @ Ramchandra Sitlaprasad PandeyPetitioner
vs.
State of Maharashtra and ors.Respondents.

Advocate Harjeet Kaur for the Petitioner.
Mr. J.P. Yagnik, APP. for the State.

**CORAM : B.P.DHARMADHIKARI &
MRS. SWAPNA S. JOSHI, JJ.
DATE : 06th June, 2019**

PC :

1. Petitioner a prisoner seeks parole to perform last ceremonies of his son, who has expired on 7.5.2019. Application submitted by applicant could not be processed within 10 days as reports were called for from prisoner's native place in Uttar Pradesh and on account of parliamentary elections the same were not received.
2. Learned APP. submits that such request could have been allowed only after the 10 days of death and thereafter respondent loses the power.
3. Learned counsel for applicant states that parole should have been granted immediately and the right is not lost. Without prejudice, it is added

that, as yet last rites are still not performed and petitioner being a father is required to complete the same.

4. In this situation, without observing anything more, we direct respondents to consider facts and if last rites are still not completed, to arrange for release of prisoner on parole on suitable terms and conditions at the earliest and in any case within next two weeks.

5. Writ petition is partly allowed and disposed off.

(MRS. SWAPNA S. JOSHI, J.)

(B.P.DHARMADHIKARI, J.)