

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3566 OF 2019

Hitesh Shantilal Solanki ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. Daulat Khamkar for the petitioner.

Mr. Arfan Sait, APP for the State.

CORAM : B.P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.
DATE : AUGUST 19, 2019

P.C.:

Heard respective counsel.

2. Parole has been rejected on 1/4/2019 on the ground that the surety offered by him is not in a position to control his movements and he may abscond. This order is maintained by the State in Appeal on 22/6/2019. The prisoner was released on parole in 2015 and he reported back himself but late by eight days. In this situation, the apprehension that he may abscond is not borne out from the record.

3. However, as rightly pointed out by the learned APP, the medical certificate issued by the Rural Hospital at Wada does not

inspire confidence. The parents of the petitioner stay in Prabhat Colony, Santacruz (East), Mumbai. The medical papers given by the Medical Officer at Wada only shows routine check up. The age of father is about 83 years. The father has been advised ECG with angiography.

4. The documents on record therefore, do not show any specific document showing further treatment or then any schedule fixed for angiography.

5. Counsel for the petitioner states that the father is currently admitted in the hospital. Learned APP is seeking time to verify this fact. We do not find it necessary to record any finding either way. If the appropriate documents are submitted, it is always open to the respondent to verify the same.

6. Hence, with a liberty to the petitioner to submit necessary documents pointing out the schedule and place at which the angiography is to be done and with a liberty to the respondents to verify it and pass suitable orders afresh, we dispose of the present petition.

(SANDEEP KASHINATH SHINDE, J.)

(B.P. DHARMADHIKARI, J.)