

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4893 OF 2019

Shaikh Akhtar Shaikh Gafoor

...Petitioner

V/s.

The State of Maharashtra

....Respondents

None for the petitioner.

Shri. H.J. Dedhia, APP for State.

CORAM : B.P. DHARMADHIKARI, &

SANDEEP K. SHINDE, JJ.

Tuesday, 1st October, 2019.

P.C. :

1. Rejection of parole has become redundant as marriage of daughter was scheduled on 24th December, 2017.

2. However, other prayer is regarding serious illness of wife.

3. APP has pointed out that when prisoner was released on earlier occasion i.e. on 14th September, 2007 he had absconded for 3445 days and was arrested and brought back on 16th March, 2017.

4. Learned APP also points out that appeal in so far as marriage of daughter performed on 24th December, 2017 has become infructuous and illness of wife is not supported by any document. Grievance of prisoner is prayer for parole was rejected three days after the date scheduled for marriage of daughter.

5. In this situation, we grant prisoner, leave to make appropriate application for parole on the ground of illness of his wife, if the illness still subsists. If such an application accompanied by necessary documents is received within four weeks from today, authorities shall consider it within next four weeks.

6. With these directions, we dispose off the petition.

7. Order be communicated to prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)