

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

WRIT PETITION NO.5477 OF 2019

Sandip Barku Bhosale

...Petitioner

vs.

The State of Maharashtra and Ors.

...Respondents

Mr. R. N. Gaikwad for the Petitioner.

Smt. Aruna S. Pai, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.
DATE : 11/12/2019.**

PC.:

. Heard respective counsel. Learned APP is seeking time to verify facts as nominal roll made available to her does not mention release of the petitioner on parole in pursuance of order dated 5/3/2019 passed by this Court in Writ Petition No.999/2019.

2. Learned counsel for the petitioner has made a statement that the petitioner was released earlier on furlough leave on three occasions and has reported back on due date. According to him in NC offence registered against him on 28/10/2018 is at the instance of his elder brother where the dispute arose about tuition fess. The petitioner has been released even thereafter on parole after directions of this court on 5/3/2019.

3. Petitioner claims that he has already undergone more than 7 ½ years in jail. In this situation, we find that interest of justice can be met with by directing the D.I.G. (Prisons), Central Division, Aurangabad to consider all facts and pass fresh order in consideration of order of this

Court dated 5/3/2019. We therefore quash and set aside the said order. The said Authority shall reconsider the entire material and pass order again within a period of 4 weeks from the date of communication of this order.

4. The petition is partly allowed and disposed of.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)