

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION (WP) NO. 606 OF 2019.

(Altaf Hussain Khwaja Gulam, Nagpur Vs. Divisional Commissioner, Nagpur & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.S. Chakotkar, Advocate (appointed) for the
petitioner.
Shri C.A. Lokhande, APP for the respondents.

**CORAM : Z.A. HAQ &
PUSHPA V. GANEDIWALA, JJ.
OCTOBER 04, 2019.**

Heard.

The challenge in the present Writ Petition is to the order dated 29/05/2019 passed by respondent No.1, whereby the application of the petitioner for grant of parole leave, dated 08/01/2019 is rejected.

The ground which the petitioner has mentioned in his application is that his wife has filed Divorce application before the Darul Quaza, Nagpur and that the Darul Quaza, Nagpur has issued a divorce notice to him on 05/01/2019 and directed him to remain present personally or through representative on 24/01/2019. He states that for the purpose of securing his marriage, he requires parole leave of 45 days.

The learned Additional Public Prosecutor

has rightly pointed out to this Court that there is no provision in the Maharashtra Prisons (Bombay Furlough and Parole) Rules, 1959 for releasing a prisoner on parole leave on the ground as mentioned in the application.

In this view of the matter, we are not inclined to entertain the Writ Petition.

The Writ Petition thus fails and is accordingly rejected.

Fees of the Advocate appointed to represent the petitioner be paid as per the Rules.

JUDGE

JUDGE