

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1323 OF 2020

UMBARYA DANSYA BHOSLE
VERSUS
STATE OF MAHARASHTRA

Mr.K.S.Patil, APP for State.

**(CORAM : RAVINDRA V. GHUGE AND
B.U.DEBADWAR, JJ.)**

DATE : 26/10/2020

PER COURT :

1. We have perused the contents of the petition tendered in handwriting by the petitioner himself. The said application has been transmitted to this Court through the Supdt.of Central Prison, Harsul, Aurangabad. In the said application, the applicant prays for emergency parole under Rule 19(1)(C) of the Maharashtra Prisons (Mumbai Furlough and Parole), Rules, 1959.

2. The learned APP has drawn our attention to the impugned order dated 26/09/2020 passed by the Incharge Supdt.of the Prisons. He contends that the applicant has been convicted under several sections of the IPC and the special Act like MCOC. A fine of Rs.10,00,000/- (Ten Lakhs) has been imposed upon him in addition

to the sentence of 22 years imprisonment. The said amount has not been deposited.

3. We find that the petitioner himself submits that he has to undergo a total period of 22 years in jail and he has completed 19 years of the sentence. He has been convicted by the Special MCOC Court.

4. The GR dated 08/05/2020 apparently does not apply to convicts who have been sentenced under Special Acts. So also, the applicant has not deposited the fine amount of Rs.10,00,000/-. In addition to these factors, the learned Prosecutor submits that the occupancy in the Harsul Prison has depleted in view of several orders of granting emergency parole having been passed by the Supdt.of Jail, as well as by this Court.

5. In view of the above, we do not find that this petition deserves to be considered and is therefore rejected.

(B.U.DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)