

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

WRIT PETITION NO. 163 OF 2020

Navnath Vishnu Dhangade

...Petitioner

Vs.

The State of Maharashtra

...Respondent

None for the petitioner.
Dr. F. R. Shaikh, APP for State.

**CORAM : B. P. DHARMADHIKARI &
N.R. BORKAR, JJ.**

DATE : 14TH JANUARY, 2020.

P.C.:

Learned APP has produced nominal roll at Exh.A. It shows that prisoner was under-trial prisoner from 12th May, 2015 till his conviction on 27th March, 2017. Thus, it cannot be said that he had not put in 3 years of imprisonment. The prisoner has, in his communication, pointed out this error only. Other reason contained in order rejecting parole is adverse Police report. However, he has not been released even once after he was arrested on 12th May, 2015. Therefore, there is no basis for adverse Police report.

2. Learned APP is seeking time to place before Court, copy of that report which is submitted by Senior Police Inspector, Vartak Nagar

Police Station, Thane.

3. In this situation, we are not inclined to adjourn the matter. As the impugned order rejecting parole dated 8th November, 2019 shows non application of mind, it is quashed and set aside.

4. We direct authority to pass fresh order in accordance with law, keeping in mind the observations made supra, within eight weeks after receipt of this order. Accordingly, Writ Petition is disposed of.

5. Order be communicated to prisoner in jail.

(N.R.BORKAR, J.)

(B. P. DHARMADHIKARI, J.)