

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 403 OF 2020**

Krushnatrao G. Hajare ... Petitioner
V/s.
The State of Maharashtra ... Respondent

None for the Petitioner.
Mr. S.R. Shinde, APP for the Respondent – State.
Mr. P.S. Shinde, Jailor-II Kolhapur Prison present.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.
DATE : JANUARY 27, 2020.**

P.C.

1] According to the learned APP as the prisoner has moved a fresh application for parole leave on 14th November 2019, the present petition has become infructuous.

2] In the present petition, the challenge is to the order of Divisional Commissioner, Pune dated 16th August 2019 rejecting parole leave and the order of State Government in Appeal dated 8th November 2019.

3] Request for parole has been rejected on the ground that ailment of wife is not substantiated by proper document. Second ground is that if the prisoner is released, his return to area in which crime was committed may lead to law and order

situation.

4] Learned APP, upon instructions, fairly states that the petitioner-prisoner has never been released on any leave after his conviction. It is therefore, apparent that the apprehension of breach of law and order situation is not supported by any incident on record.

5] As the prisoner has again applied for parole, we did not observe anything on sufficiency or otherwise of the medical documents.

6] We direct the authorities to look into our observations supra and take fresh decision on his request for grant of parole leave within 4 weeks from the date of communication of this order.

7] The petition is thus, partly allowed and disposed of.

8] Copy of this order be served upon the prisoner in Jail.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)