

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.97 OF 2020
(Ahmed Beg Afsar Beg vs. The State of Maharashtra and another)

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

Ms. S.H. Bhatia, Advocate (appointed) for
petitioner.

Mrs. N.R. Tripathi, Additional Public Prosecutor for
respondents.

CORAM : P.N. DESHMUKH AND
 PUSHPA V. GANEDIWALA, JJ.

DATED : FEBRUARY 5, 2020

The prayer in this petition is for
emergency parole to attend the rituals to be held on
the 40th day after death of petitioner's father.

Perusal of the impugned order reveals
that petitioner's application came to be rejected on
the ground that he did not furnish surety, who was
competent to take his care. However, during the
course of submissions, Ms. Bhatia, learned Counsel
for petitioner, submitted that apart from the said
reason, death of petitioner's father had occurred on
14/10/2017 and petitioner had applied before
competent Authority for his release on 31/10/2017.
His application was rejected after lapse of 40th day
from the death of his father.

In the given set of circumstances, we find that as 40th day has already lapsed, there is no purpose for allowing the petition as the same is found to have become infructuous. The petition is, therefore, dismissed.

The fee payable to learned Counsel appointed for petitioner is quantified as rupees fifteen hundred.

JUDGE

JUDGE

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