

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

WRIT PETITION NO.188 OF 2020

Arif baksa Mehbub Baksa

...Versus...

State of Maharashtra through Divisional Commissioner, Nagpur and another

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

Court's or Judge's orders

Ms. S.D. Wankhede Advocate for petitioner
Shri S.J. Kadu, learned APP for respondents

**CORAM : Z. A. HAQ AND
AVINASH G. GHAROTE, JJ.**

DATE : 07/08/2020

Heard Ms Wankhede, learned advocate for the petitioner and Shri Kadu, learned A.PP for the respondent/State. The application for parole filed by the petitioner is rejected by the impugned order dated 20/12/2019. It is contended that the petitioner was released earlier on furlough on 01/11/2017 and had not surrendered and was required to be arrested and brought back after period of 127 days. The petitioner was again released on furlough on 18/12/2019, on which occasion, he surrendered on due date on 16/01/2020.

It is, however, material to note that during prior to the grant of the furlough leave on the last occasion petitioner had applied for grant of parole leave on 28/06/2019 on the ground of illness of his wife, which application has been dismissed by the impugned order. Since the petitioner has already availed furlough leave subsequent to the earlier application for grant of parole

dated 28/06/2019, and the fact that the documents on record do not indicate that the wife of the petitioner is suffering from any serious illness, we find that the order of rejection does not suffer from any infirmity.

The petition is therefore dismissed.

JUDGE

JUDGE

J. Pethe