

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 CRIMINAL WRIT PETITION NO.257 OF 2021

Digambar Hulaji Vanje C-8794
Age:Major, Occ : Nil,
R/o At present Harsul Prison,
Tq. & Dist. Aurangabad.

..PETITIONER

-VERSUS-

1. The State of Maharashtra
Through its Home Department,
Mantralaya, Mumbai.
2. The Superintendent
of the Central Jail Harsool,
Dist. Aurangabad.

..RESPONDENTS

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Smt. S.P. Chate, Advocate for the petitioner
(appointed);
Mr. S.J. Salgare, APP for respondent nos.1
and 2.

...

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

DATE : 16th March, 2021

Oral Judgment (Per Ravindra V. Ghuge,J):

1. Rule. Rule made returnable forthwith
and heard finally, by the consent of parties.
2. By this Petition, the petitioner

prays for relaxation of the conditions imposed upon him by this Court, while granting emergency parole, vide judgment dated 2nd December, 2020, delivered in Criminal Writ Petition No.1499/2020. Reliance is placed upon a judgment delivered by this Court on 9th March, 2021 in Criminal Writ Petition No.340/2021 (Raosaheb Maruti Nemane V/s The State of Maharashtra and others), seeking a similar relief of relaxation of conditions. By the said judgment, this Court relied upon an earlier view of this Court taken in paragraph 3 of it's judgment dated 04.11.2020 in Criminal Writ Petition No.1258/2020(Adarsh S/o Gautam Waghmare V/s the State of Maharashtra).

3. The learned Advocate for the petitioner submits on instructions that he is willing to tender a personal bond of Rs.10,000/- and one surety of Rs.20,000/-, which would be an independent surety and not of any relative of any prisoner.

4. The learned Prosecutor submits on instructions that the State is satisfied.

5. In view of the above, this Petition

is allowed. The direction of this Court in clause (iv) of it's order dated 2nd December, 2020 is modified and the petitioner shall be released on emergency parole upon tendering a personal bond of Rs.10,000/- and one independent surety of Rs.20,000/- unconnected with any prisoner.

6. Rule is made absolute in the above terms.

7. Since the learned Advocate has been appointed to represent the petitioner, we quantify her fees at Rs.3,000/- to be paid by the High Court Legal Aid Services, Sub-Committee, Aurangabad.

(B.U.DEBADWAR,J.)

(RAVINDRA V. GHUGE,J.)

SGA