

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

907 CRIMINAL WRIT PETITION NO.618 OF 2021

ZUBIR KHAN SHABBIR KHAN (C-35833)

VERSUS

THE STATE OF MAHARASHTRA

...

Petitioner - Through Jail

APP for the Respondent / State : Mr S.J. Salgare

...

CORAM : RAVINDRA V. GHUGE

AND

B. U. DEBADWAR, JJ.

Date : 10-06-2021

PER COURT :-

1. The petitioner is a convict, who has moved this application through jail for seeking emergency parole under Section 19(1)(C) of the Maharashtra Prisons (Mumbai Furlough and Parole) Rules, 1959 citing COVID-19 circumstances.

2. The learned Prosecutor informs us that the petitioner has been convicted in SCC No.17/2012 for having committed offences punishable under Sections 302, 364, 201 r.w. 34 of the IPC and Sections 3 (i)(ii), 3 (2) and 3 (4) of the MCOC Act.

3. We find from the Maharashtra State notification dated 08-05-2020 that, convicts, who have been sentenced under Special

enactments, are not eligible for emergency parole under Rule 19(1)(C).

4. The learned Full Bench of this Court, vide it's Judgment dated 06-11-2020 in Criminal Writ Petition (Stamp) No.3206 of 2020 has held that, such notification dated 08-05-2020 would not leave any scope for entertaining an application for emergency parole filed by a convict who has been sentenced under any special enactment.

5. In view of the above, this Criminal Writ Petition stands rejected.

(B. U. DEBADWAR)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

...