

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.744 OF 2021

YOURAJ @ NAMDEV ANANDA KUMBHARDE (C-17687)
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mrs. Sharada P. Chate
APP for Respondents - State : Mr. M. M. Nerlikar

...
CORAM : V. K. JADHAV AND
S. G. DIGE, JJ.
DATE : 9th JULY, 2021

PER COURT :-

We have heard learned counsel for the petitioner and learned APP for the respondents – State authorities.

2. Learned APP has placed before us the copy of Judgment dated 25-01-2021, in Criminal Application No. 2073 of 2020 in Criminal Writ Petition No. 1362 of 2020 passed by Full Bench. In paragraph No. 24 of the said Judgment, it has been observed that there is no nexus between grant or refusal of parole and place of court convicting, ordinarily a prisoner/ convict would have to approach a forum of this court having jurisdiction over the district in which order of rejection is passed. The Full Bench has also observed that it could always be open in rare and exceptional cases for the Bench before which the proceeding is presented to examine the plea at the threshold and decide whether to receive the proceedings or not.

2. Learned counsel appearing for the petitioner has not disputed above legal position, thus, on instructions, seeks leave to withdraw this petition.

3. Leave granted. The criminal writ petition is dismissed as withdrawn.

(S. G. DIGE)
JUDGE

(V. K. JADHAV)
JUDGE