

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 107 OF 2021

Sunil Sadashiv Ghate

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. N.N. Gawankar i/b. Mr. M.N. Gawankar for Petitioner.

Smt. A.S. Pai, APP for State.

...

**CORAM : S. S. SHINDE &
MANISH PITALE, JJ.**

DATE : JANUARY 27, 2021.

P.C.:

1. This petition is filed with following prayers:-

a) this Hon'ble Court be pleased to issue appropriate writ, order direction to quash and set aside the impugned order dated 22.10.2020 passed by Respondent No. 3;

b) this Hon'ble Court be pleased to issue appropriate writ, order or direction extending the parole leave granted to the petitioner by this Hon'ble in Criminal Writ Petition No. St. 3615 of 2020 by a period of 15 days on such terms and contentions as this Hon'ble Court deems fit and proper.

2. Learned counsel for the Petitioner submits that the Petitioner had applied for parole leave. Since, the prayer for granting of parole leave was turned down by the respondents, the Petitioner approached this Court by way of filing Writ Petition Stamp No. 3615 of 2020 (Sunil Sadashiv Ghate Versus The State of Maharashtra & Ors). This Court allowed the said petition and directed the respondents to grant 45 days parole leave to the Petitioner. Said 45 days period is expiring today i.e. on 27.01.2021. In this petition, the Petitioner has prayed for extension of further 15 days parole on the ground of ailment of wife of the Petitioner. However, it is informed by the learned counsel for the Petitioner that wife of the Petitioner died yesterday i.e. on 26.01.2021.

3. Learned APP appearing for Respondent-State submits that the Petitioner may applied for death parole.

4. In the peculiar facts and circumstances of this case and since the Petitioner's wife died on 26.01.2021, we of the opinion that further 15 days time needs to be granted to the Petitioner for performing rituals. Accordingly, the petition is allowed and 15 days of parole is extended in addition to the parole of 45 days. The petition stands disposed of accordingly.

5. Learned counsel appearing for the Petitioner on instructions submits that the Petitioner will surrender before the jail authority on 11.02.2021.

(MANISH PITALE, J.)

(S. S. SHINDE, J.)