

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

WRIT PETITION NO.2488 OF 2021

Javed Habib Shaikh	..	Petitioner
v/s.		
The State of Maharashtra & Anr.	..	Respondents

....

Mr. Madan J. Gupta, for the Petitioner.

Mrs. S.D. Shinde, APP, for Respondent State.

....

**CORAM: NITIN JAMDAR &
SARANG V. KOTWAL JJ.**

DATE : 10 DECEMBER 2021.

P.C:-

This Petition is filed challenging the rejection of the Petitioner's application seeking Emergency (Covid-19) Parole and for a direction that the Petitioner should be released on Emergency Parole under Rule 19(1)(C) of the Maharashtra Prisons (Mumbai Furlough and Parole Rules, 1959 (as amended)).

2. The relief is based on Rule 19(1)(C) of Rules of 1959. It cannot be granted in the light of Rule 19(1)(C) (ii) that states that the offences punishable under the Maharashtra Control of Organized Crime (MCOC) Act, 1999 have been specifically excluded from the purview of grant of Emergency Parole.

3. In the light of this statutory bar, no relief can be granted in this Petition, which is accordingly rejected.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)