

JPP

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

CRIMINAL WRIT PETITION NO. 2260 OF 2021

Chandrakant Dattatray Rajkuvar

... Petitioner

V/s.

The State of Maharashtra

... Respondent

Mr. Ajinkya Udane i/b. Niranjana Bhavke, appointed through Legal Aid for the Petitioner

Ms. M.H. Mhatre, APP for the Respondent - State

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

DATE : 18 NOVEMBER 2021

JYOTI
PRAKASH
PAWAR

Digitally signed by
JYOTI PRAKASH
PAWAR
Date: 2021.11.24
12:17:57 +0530

P.C. :-

By this Petition the Petitioner is seeking Emergency (Covid-19) Parole.

2. By order dated 19 September 2020 the request is rejected by the Respondent – authority. During the pendency of the Petition, another application was made by the Petitioner which is rejected by order dated 6 May 2021 which is placed on record. The

reason given for rejection is that when the Petitioner was released on parole on 7 March 2013, he did not return within the period stipulated and overstayed for 2193 days and had to be arrested and brought back to the jail. If in view of this conduct of the Petitioner, the authority is of the opinion that the Petitioner will not be available if he released on emergency parole, the opinion cannot be considered to be unjustified. The exercise of discretion by the Respondents is not arbitrary or perverse.

3. The Writ Petition is accordingly rejected.

SARANG V. KOTWAL, J.

NITIN JAMDAR, J.