

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2108 OF 2021

Noorjamal Akbar Shaikh

.... Petitioner

versus

The State of Maharashtra

.... Respondent

.....

- Mr.Ajinkya Udane, Advocate appointed through Legal Aid Services for Petitioner.
- Ms.S.D. Shinde, APP for State/Respondent.

CORAM : NITIN JAMDAR &
SARANG V. KOTWAL, J.

DATE : 2 DECEMBER 2021

P.C. :

. Heard the learned counsel for the Petitioner and learned APP.

2. The prayer as prayed for be released on emergency (Covid-19) parole. The Petitioner has made reference to Rule 19 of the Maharashtra Prison (Mumbai Furlough and Parole) Rules, 1959. The substantial prayer is to be released on emergency (Covid-19) parole. However, in light of Rule 19, the emergency parole is not

available to those who have been convicted under special laws which includes *The Protection of Children from Sexual Offences Act, 2012* (POCSO) under section 6 and 10 of which the Petitioner has been convicted. This view is taken by the Full Bench of this Court in the case of *Pintu s/o. Juttam Sonale vs. State of Maharashtra*¹ in Criminal Writ Petition (St.) No. 3206 of 2020 decided on 6 November 2020. In light thereof the prayer made in the Petition cannot be granted.

3. Writ Petition is rejected.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)

¹ 2020(6) Mh.L.J.627