

JPP

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

CRIMINAL WRIT PETITION NO. 2345 OF 2021

Tukaram Kashinath Khambayat ... Petitioner

V/s.

The State of Maharashtra and Anr. ... Respondents

Mr. Subir Sarkar, Advocate appointed through Legal Aid Panel for
the Petitioner

Ms. A.S. Pai, P.P. for the Respondent – State

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

DATE : 16 DECEMBER 2021

P.C. :-

This Petition is filed seeking Emergency (Covid-19)
Parole.

2. By order dated 1 October 2020 which is impugned in
this Petition, the Emergency Parole was rejected. The learned Public
Prosecutor has handed over a copy of the order passed on 17 June
2021 wherein the Emergency Parole is granted to the Petitioner on
certain conditions.

3. The learned Public Prosecutor states that as regard the condition that the Petitioner should furnish surety of a Government Officer is concerned, in view of the series of decisions of this Court wherein such condition has not been held to be valid in law, the condition would be withdrawn and it will be substituted by stipulation of surety of a friend and relative of the same amount and fresh order will be issued within a period of two weeks.

4. In the light of this position, no further orders are required to be passed. The Writ Petition is disposed of.

SARANG V. KOTWAL, J.

NITIN JAMDAR, J.