

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH : NAGPUR.**

**CRIMINAL WRIT PETITION NO.47/2021**

Anup Dattaji Khandale,  
Convict No.C/8996, aged 28 Yrs.,  
Occ. Nil, Confined at Central Prison,  
Nagpur.

**..Petitioner.**

**..Vs..**

1. State of Maharashtra,  
through Deputy Inspector General  
of Prison, East Region, Nagpur.
2. The Superintendent,  
Central Prison, Nagpur.

**..Respondents.**

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Shri S.D. Wankhede, Advocate for the petitioner.  
Ms N.R. Tripathi, A.P.P. for the respondents.  
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**CORAM :- SUNIL B. SHUKRE AND**  
**AVINASH G. GHAROTE , JJ.**  
**DATED :- 4.2.2021**

**ORAL JUDGMENT** *(Per Sunil B. Shukre, J.)*

1. Heard. **Rule.** Rule made returnable forthwith. Heard finally by consent.

2. The petitioner was released on parole on 7.8.2015 but did not surrender himself before the prison authorities on the due date and was required to be arrested and brought back to the prison after a

delay of 144 days. He was brought back in this fashion on 29.1.2016. For such indisciplined act of the petitioner, offence relating to Section 224 of the Indian Penal Code was registered against the petitioner and it is pending. It is an admitted fact that either before expiry of the parole leave or even after expiry of the parole leave, the petitioner did not apply for extension of his parole leave. Such conduct of the petitioner would be squarely hit by rule 4(6) of the Prisons (Bombay Parole and Furlough) Rules, 1959 which states that a prisoner whose work and conduct is, in the opinion of the Superintendent of the prison, not satisfactory, would not be eligible for his release on parole.

3. Thus, we find that there is no merit in the petition. The petition stands dismissed. Rule is discharged.

**JUDGE**

**JUDGE**