

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

CRIMINAL WRIT PETITION NO.627/2019

Ashok Mahadev Kanake,
aged adult, R/o At Post Sunna,
Tah. Kalapur, Yavatmal,
Dist. Yavatmal (presently at Central
Prison, Amravati C-5063).

..Petitioner.

..Vs..

1. The Superintendent,
Central Prison, Amravati.
2. The Divisional Commissioner,
Amravati.

..Respondents.

Shri D.S. Lambat, Advocate (appointed) for the petitioner.
Ms T. H. Khan, A.P.P for respondent Nos.1 and 2.

CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.
DATED :- 21.1.2021

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

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

2. The petitioner applied for grant of emergency parole under rule
19(1) of the Prisons (Bombay Furlough and Parole) Rules, 1959 on
11.2.2019 stating the reason of death of his mother earlier. Now, it
has come on record that the petitioner's mother died on 20th October,

2018 almost about 4 months prior to making of the application for grant of emergency parole. This time gap show that the emergency no longer existed and, therefore, the petitioner would not be eligible to be released on the ground of death of his mother under Rule 19(1). The petition stands dismissed. Rule is discharged. Learned appointed counsel be paid legal remuneration of ₹2,500/- (₹ Two Thousand Five Hundred Only).

JUDGE

JUDGE

Tambaskar.