

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

CRIMINAL WRIT PETITION NO.339 OF 2022

Sana d/o Aman Khan Pathan

..VS..

**State of Mah., thr.The Deputy Inspector General of Prison, Central Prison, Easter
Region, Nagpur and ors**

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Mr.V.N.Mate, Counsel for the Petitioner.

Mr.M.K.Pathan, Additional Public Prosecutor for the Respondents.

CORAM : ROHIT B.DEO & URMILA JOSHI-PHALKE, JJ.

DATED : 18/10/2022

1. The prayer in the petition is that the parole leave, which was granted in view of the Covid pandemic, may be extended.

2. The petitioner was released on emergency parole leave for 45 days vide order dated 25.2.2021. The leave was extended from time to time in view of the Government Resolutions. However, it is not in dispute that since the Covid pandemic subsided, the Government decided that the prisoners, who are on emergency parole, shall have to report back to jail. Since the petitioner did not report, as she was expected to do on 7.5.2022, we directed her to surrender, which she has done on 12.10.2022.

3. According to the petitioner, while she was on emergency parole, she has conceived and is in advanced stage of pregnancy.

4. While nothing survives in the present petition, we permit the petitioner to prefer separate application for parole and if such application is preferred, we expect the Divisional Commissioner to consider the said application on its own merit within two weeks from

the date of receiving the application.

5. Subject to the aforesaid observations and directions, the petition is disposed of.

(URMILA JOSHI-PHALKE, J.)

(ROHIT B.DEO , J.)

!! BrWankhede !!

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