

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

CRIMINAL WRIT PETITION NO. 674 OF 2021

Rahul Rajkumar Shingade
(C/9670, Central Prison, Nagpur,
District Nagpur)

... PETITIONER

---VERSUS---

The Superintendent,
Central Prison, Nagpur, District Nagpur.

...RESPONDENT

Shri S.D. Chande, Advocate for petitioner.

Shri M.K. Pathan, Additional Public Prosecutor for respondent.

**CORAM : V. M. DESHPANDE AND
AMIT BORKAR, JJ.**

DATE : 11th APRIL, 2022.

JUDGMENT : (PER - AMIT BORKAR, J.)

1. Heard.
2. **Rule.** Rule made returnable forthwith.
3. By this writ petition under Articles 226 and 227 of the Constitution of India the petitioner is challenging the order dated 04.06.2021 refusing the release of the petitioner on emergency parole under Rule 19(1)(ii) of the Maharashtra Prisons (Mumbai Furlough and Parole) Rules, 1959.

4. Shri Chande, learned counsel appearing for the petitioner fairly submitted that the petitioner has convicted for the offence under the provisions of Protection of Children from Sexual Offences Act (POCSO), which is special act. In view of said statement, the case of the petitioner is squarely covered by the authoritative pronouncement of Full Bench of this Court in the case of Pintu Uttam Sonale Vs. State of Maharashtra reported in 2020 (6) Mh.L.J. 627,.

5. In that view the fact that the issue is covered by the decision of Full Bench there is no illegality in exercise of power by the respondent. There is no merit in the petition. The petition is, therefore, dismissed.

Rule stands discharged. Pending application(s), if any, stand(s) disposed of.

JUDGE

JUDGE

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