

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

CRIMINAL WRIT PETITION NO.543 OF 2022

Birendrasing Rampukarsingh Khairwar

..VS..

State of Mah., thr.Secretary, Home Department, Mantralaya, Mumbai and anr

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

Court's or Judge's Order

.....
Ms R.G.Nitnaware, Counsel for the Petitioner.

Mrs.Nandita Tripathi, 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, to be extended.

2. The petitioner was released on emergency parole leave vide order dated 29.5.2021. 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 he was expected to do on 29.5.2022, we directed him to surrender, which he has done on 18.8.2022.

3. According to the petitioner, while he was on emergency parole, he suffered several health problems.

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 !!