

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

927 CRIMINAL WRIT PETITION NO.317 OF 2023

Ramrao s/o Ashruba Sable,
Age; 23 years, Occ; Agriculture
R/o; Kashi Tanda, Tq. Aundh Nagnath,
Dist. Hingoli.

...Petitioner

VERSUS

The State of Maharashtra
Through Superintendent
harsul Jail, Aurangabad.

...Respondent

...
Advocate for Petitioner : Mr.Rupesh Anil Jaiswal
APP for Respondents-State : Mr.S.D.Gayal.

...

**CORAM : SMT. ANUJA PRABHUDESSAI &
R.M. JOSHI, JJ.**

DATE : 03.03.2023.

PER COURT :

1. Rule. Rule made returnable forthwith. With the consent of the learned counsel for the parties heard finally.

2. By this petition, filed under Article 226 of the Constitution of India, the petitioner seeks direction against the respondent State to extend the prole leave till 13.03.2023 to enable him to immerse ashes of his deceased father.

3. The petitioner had applied for parole leave in view of the death of his father on 21.02.2023. By order dated 24.02.2023 he has been granted the parole leave for 7 days. He was released on parole leave from 28.02.2023 till 06.03.2023. The petitioner contend that he has applied for extension of parole leave till 13.03.2023 in order to enable him to immense the ashes of his father at Allahabad

4. Learned APP states that the respondent State has not received any application for extension of parole leave. Learned APP, on instructions, submits that considering the peculiar facts & circumstances parole leave already granted to the petitioner may be extended by further period of 7 days, on the same terms and conditions as imposed by order dated 24.02.2023.

5. The statement is accepted. Accordingly, the period of parole is extended up to 13.03.2023.

6. Learned counsel for the petitioner states that as per the condition of parole order dated 24.02.2023, the petitioner is required to report to Aundha Nagnath Police Station, District Hingoli every day and would also be required to obtain permission of SDPO to leave the district. He seeks relaxation of the said condition for the reason that the petitioner would be traveling to Nashik for immersion of ashes of

his father.

7. Considering the fact that the petitioner would be travelling from Nashik on 06.03.2023 for immersion of ashes of his deceased father, the condition to report to the Aundha Nagnath Police Station, District Hingoli and the permission of concerned Sub Divisional Police Officer for visiting Nashik is relaxed to the said day i.e. 06.03.2023. Except for the above, the petitioner shall comply with all other terms and conditions of parole order. The petitioner shall surrender to the Jail Authority on 13.03.2023.

8. Rule is made absolute.

(R.M. JOSHI)
JUDGE

(SMT. ANUJA PRABHUDESSAI)
JUDGE

mahajansb/