



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

CRIMINAL WRIT PETITION NO. 1802 OF 2023

Samadhan Balasaheb Shinde, C/No. 92
Aged about 32 Years, Occu- NIL,
[Presently lodged at Harsool District Open Prison] .. Petitioner

Versus

1. The State of Maharashtra
Through its Secretary, Home Department
Mantralaya, Mumbai – 400032
2. The Divisional Commissioner
Aurangabad Division, Aurangabad – 431001
3. The Superintendent of Open Prison,
At Harsool, Dist –Aurangabad .. Respondents

Ms. Sharada Pundlik Chate, Advocate for the Petitioner.
Mr. V. K. Kotecha, APP for Respondents/State.

**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 18th DECEMBER, 2023.

PER COURT :-

. The petitioner himself is going to get married on 30.12.2023. the bride is very much present before us. The petitioner's marriage card is also on record.

2. The learned A.PP has strong objection to grant parole on the ground that there is no such provision. According to him, on account

of marriage of a brother or any other family member of a convict the parole is permissible, but not of a convict himself. According to him, at the most the petitioner may be released for a period of eight (08) days.

3. We find this provision strange. Since the petitioner himself is going to get married, we allow this application granting him forty five (45) days of parole on the ground that he shall mark his presence at Vasmat Police Station, on every alternate day after a week of his marriage during period of parole until he surrenders back to prison. The petitioner is in open prison. The authorities, therefore, shall not insist for furnishing surety bond. The authorities concerned may impose other conditions which are usually imposed while granting parole to convict. The petitioner be released on or before 25.12.2023.

4. The criminal writ petition is disposed of.

(SANJAY A. DESHMUKH)
JUDGE

(R. G. AVACHAT)
JUDGE

RS.B.