



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

906 CRIMINAL WRIT PETITION NO. 1827 OF 2023

PRAKASH SURYAKANT CHAEKAR C/9219
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Ms. Sharada Pundlik Chate.
APP for Respondent/State : Mr. V. K. Kotecha.
...

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

DATE : 21st December, 2023.

Per Court:

. Heard.

2 The petitioner's application for 45 days parole leave has been turned down only on the ground he has not completed 1 and ½ years of period in jail, post his surrender back to jail on last release.

3 Time and again this Court had been informed that the proviso to Rule 19(3)(C) of the Prisons (Bombay Furlough and Parole) Rules, is likely to be reviewed by the State Government.

4 The petitioner's father is scheduled to undergo an operation for heart surgery on 26th December, 2023 at Military Hospital, Pune. The petitioner is the only son. The grand-son of the person

scheduled to undergo operation is just 13 years of age. Necessarily, the petitioner's presence by the time of his father's operation and for post operation care, is necessary. We are, therefore, inclined to allow this petition.

5 The petitioner be released on or before 27th December, 2023 on the terms and conditions, which are usually imposed for grant of parole. The petitioner shall mark his presence at Alandi Police Station, Pune, on every alternate day during his period of parole leave. He is, however, exempted from marking his presence on the day of operation and the following day.

6 The writ petition stands disposed of.

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]

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