

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1563 OF 2020**

Sanjay Bapuso Sasane

... Petitioner

V/s.

The State of Maharashtra

... Respondent

None for Petitioner.

Ms.S.D. Shinde, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 5th January 2023.****P.C. :**

1. The rejection of application of the Petitioner for parole leave on the ground of mother's ailment was upheld by the Hon'ble Minister in Appeal No. 2 of 2019 by its Order dated 21st May 2019. The Appellate Authority has recorded a finding that, the Petitioner did not provide Medical Certificates of his mother for ascertaining the truthfulness of his claim. That the Medical Certificate which was submitted by the Petitioner was six months old and therefore the authorities could not ascertain the fact of ailment of his mother.

We find that the Order passed by the Appellate Authority is within the conformity of the provisions of law and it does not suffer from any error.

2. However, the Petitioner will be at liberty to file a fresh application for parole leave, if permissible under the provisions of law, by submitting necessary documents in that behalf.

3. Petition is dismissed by granting aforesaid liberty to the Petitioner.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]