

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3281 OF 2017****WITH****INTERIM APPLICATION NO. 1233 OF 2020****WITH****INTERIM APPLICATION NO. 3317 OF 2021**

Bistappa Yellappa Bandargali

.....Petitioner/Applicant

Vs.

The State Of Maharashtra

.....Respondent

None for the Petitioner/Applicant.

Ms. S.D. Shinde APP for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.
DATE : 24th FEBRUARY, 2023.**

P.C.:-

Record indicates that, by an Order dated 22nd February 2017, the Petitioner was directed to be released on parole leave for a period of 30 days on usual terms and conditions as set out by the Competent Authority. As the Petitioner could not furnish surety within stipulated period, the said period was extended for further 30 days. Despite the said fact, Petitioner did not furnish surety and therefore was not released from jail on parole leave.

2) Though the Application of the Petitioner for parole leave was granted by the Competent Authority, the Petitioner could not avail the said benefit as he was unable to furnish surety as per the rules.

3) As the Petitioner is unable to furnish surety, the Jail Authorities are also unable to release him from jail either on furlough leave or parole leave.

In view thereof, we find that the grievance of the Petitioner can not be redressed for want of surety for releasing him on parole/furlough leave.

4) Petition is accordingly disposed off.

5) In view of disposal of Writ Petition itself, Interim Application Nos.1233 of 2020 and 3317 of 2021 do not survive and are also disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)