

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.6616 OF 2021

Ramesh Gopinath Mundhe

... Petitioner

V/s.

The State of Maharashtra

... Respondent

Ms. Chaitrali Deshmukh appointed Advocate for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 17th JANUARY, 2023.

PC. :

1. Heard learned Advocate appointed to represent the Petitioner and learned APP for Respondent-State. Perused record.
2. By the present Petition, Petitioner has requested this Court to include parole leave period in the sentence undergone by a convict and also to include the period of emergency parole leave towards Petitioner's sentence served, considering social and medical restrictions during the period of COVID-19 pandemic.
3. Recently the Hon'ble Supreme Court in the case of *Rohan Dhungat Etc. V/s. The State of Goa & Ors Etc. in Special Leave Petition (CRL) Nos.12574-12577 of 2022 (@ Diary No.29535 of 2022) decided on 5th January, 2023* has held that, for the purpose of considering actual imprisonment, the period of parole is to be excluded.

4. It is thus clear that, the period of parole cannot be included in remission of Petitioner. The contention of the Petitioner therefore cannot be accepted.

5. Petition is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)