



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

CRIMINAL WRIT PETITION NO.419 OF 2023

Ankush Dilip Ade (C-6072), Aged
about 46 years, Occ. NA, R/o Movada,
Tah. Ghatanji, Distt. Yavatmal.

... PETITIONER

VERSUS

1. Divisional Commissioner, Amravati,
Dist. Amravati.
2. Superintendent of Police, Yavatmal.

... RESPONDENTS.

Mrs. Ratna Singh, Advocate for the petitioner.
Mrs. Tripathi, Addl.PP for the State.

CORAM : VINAY JOSHI AND M.W. CHANDWANI, JJ.
DATED : 31.10.2023.

ORAL JUDGMENT : (Per : Vinay Joshi, J.)

RULE. Rule made returnable forthwith.

2. The petitioner has applied for regular parole on account of illness of his mother. The Authorities have considered the petitioner's

case and as the Police report was adverse, the application for grant of regular parole has been rejected. The rejection was only on the ground that if the petitioner is released on regular parole, there is every likelihood that he may threaten the minor children of the deceased and thus, there would be a problem of peace and tranquility. The Police have recorded statements of some of the witnesses, who have expressed the fear that the petitioner may threaten the children. On mere possibility petitioner's entitlement can not be denied.

3. The petitioner is in jail since four years. It is apparent that on mere anticipation, the Police have given adverse report. The petitioner has produced medical papers to show that his mother is suffering from severe ailments. The petitioner desire to give better treatment. The ground of illness is not challenged.

4. Having regard to the reasons, we deem it appropriate to grant regular parole to meet the exigency of certain terms. Hence, the application is allowed. We hereby quash and set aside the impugned order dated 03.01.2023. The petitioner shall be released on regular parole on certain terms and conditions, which the Authorities may deem fit. So also, the petitioner shall not enter within the territorial limits of village Mowada during the parole period and shall give

attendance to the Police Station Ghatanji on every Sunday in between 10.00 a.m. to 12.00 noon.

5. The Petition stands disposed of in the above terms

(M.W. CHANDWANI, J.)

(VINAY JOSHI, J.)

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