



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 659 OF 2024

Sanjay Shankar Bhalkar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Ms. Sharda P. Chate, Advocate for the Petitioner.
Shri A. D. Wange, A.P.P. for the Respondents/State.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 04 APRIL 2024.**

FINAL ORDER :

. The petitioner has been granted parole by the order dated 13.03.2024 and still the respondent No. 2 is not releasing him from the prison.

2. It is being submitted by the learned A. P. P. that after availing furlough leave, the petitioner has returned to the prison on 03.02.2024.

3. Irrespective of the fact that Rule 19 of the Prisons (Bombay Parole and Parole) Rules 1959 provides *inter alia* that a prisoner cannot be granted a parole or furlough leave within one and half years or after availing the earlier leave, the order granting him parole has already been passed on

13.03.2024, which is still in force. Once having passed the order granting him parole, we cannot comprehend as to how the authorities can simply refuse to implement it may be finding it awkward.

4. We allow the writ petition and direct the respondent No. 2 to allow the petitioner to be released pursuant to the earlier order dated 13.03.2024 as early as possible and within a period of one (01) week from today.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb / April 24