

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CRIMINAL WRIT PETITION NO. 734 OF 2024

JAVED KHAN WASHIM KHAN

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Ms. Chate Sharada Pundlik

APP for Respondent/s – State : Mr. N.R. Dayama

...

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 19 APRIL 2024

PER COURT :

Heard both the sides.

2. The petitioner has been granted parole leave by the order dated 21 March 2024. Even his cash security has been received / allowed to be deposited on 08 April 2024. However, he is not being allowed to avail the parole leave granted to him.

3. Learned APP, on instructions submits that pursuant to the notification issued for the Lok Sabha elections, by virtue of Rule 4 (9), in the wake of Model Code of Conduct, the respondents are undertaking a scrutiny.

4. Learned APP fairly concedes that the notification for the Lok Sabha elections was issued even before the petitioner was

granted parole leave by the order. If this is the state of affairs, one cannot comprehend as to how the authorities can now go back and re-examine entitlement of the petitioner to parole leave in the wake of the notification issued on 16 March 2024.

5. Besides, already petitioner has been allowed to deposit cash security to the tune of Rs. 20,000/-.

6. In the light of the above state of affairs, we direct the respondents to allow the petitioner to comply with the other conditions and release him on parole leave as early as possible and in any case within a period of one week.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]