



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

CRIMINAL WRIT PETITION NO. 797 OF 2024

Shaikh Nasir Chunnu Shaikh Hasan

....**Petitioner**

Versus

The State of Maharashtra & Ors.

...**Respondents**

.....

Mr. M. M. Parghane – Advocate for the Petitioner
Mrs. V. N. Patil – Jadhav – APP for respondent/State

.....

**CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.**

DATED : 12TH JULY, 2024

PER COURT : -

1. Petitioner's application for grant of parole has been rejected only on the ground of there being no lapse of one and half year in filing subsequent application.

2. It is a matter of record that when the similar matter was there before this Court, Bench at Nagpur, State had made a statement that they were going to have a re-look at proviso to Rule 19 and they may consider of withdrawing that condition, and therefore, the Bench was short of quashing of the said rule. It appears that since then State has not taken any action on its statement. There is no other hurdle for present petitioner for being released on parole.

3. We, therefore, direct the authorities concerned to grant the Petitioner parole of thirty (30) days, if there is no other hurdle than no lapse of one and half years in between earlier release of the petitioner and subsequent/present application. With these observations, criminal writ petition stands disposed of.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde