

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 1819 OF 2023

Ramesh Sonya Mavachi

.. Petitioner

vs.

State of Maharashtra

.. Respondent

Mr. Vikrant V. Phatate, Appointed Advocate for the Petitioner.

Mrs. A.A. Takalkar, APP for the State.

**CORAM: A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 5th FEBRUARY, 2024.

P. C.:-

- 1) This is a Petition received from Jail, praying for parole leave on the ground of ailment of mother of the Petitioner.
- 2) Heard Mr. Phatate, Advocate appointed by the Legal Aid Committee, High Court, Mumbai and learned APP for the State. Perused record produced before us.
- 3) Record indicates that, the Application for parole leave filed by the Petitioner was rejected by the Competent Authority on the ground that when he was released on parole leave on 1st June, 2006, he absconded and was to be arrested and brought back to the jail by police after a lapse of 2462 days. Mr. Phatate submitted that, the Police Authority

has given usual adverse report against the Petitioner and, therefore, the Competent Authority did not accept his request for releasing him on parole leave. He submitted that, after his arrest and lodgment to jail on 29.03.2013, the Petitioner was never released on furlough or parole leave. He submitted that, therefore, the Petitioner may be released on parole leave to take care of his mother for her ailment.

4) As noted earlier, it is an admitted fact that, the Petitioner was released on parole leave on 1st June, 2006, when he absconded and was required to be arrested and brought back to jail after a lapse of 2462 days. Record further indicates that, the Hysterectomy Operation of mother of Petitioner has already been performed. Nobody has come forward to stand surety and take guarantee of the Petitioner that, he will surrender to jail authority within time, if released on parole leave.

5) In view of the above, we are not inclined to grant any relief at least at this stage, to the Petitioner.

6) Petition is accordingly dismissed.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)

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