

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2319 OF 2024**

Muzammil Shaikh s/o Ata Ur Rahman .. Petitioner
Shaikh

Versus

The State of Maharashtra and anr .. Respondents

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Ms.Aisha Ansari i/b Ibraheem K.M for the petitioner.

Ms.S.S. Kaushik, APP for the State.

Mr. Ravindra Koshti, Personal Assistant, Office of Deputy Inspector of Prison Nashik Division, Nashik.

Mr.Chandrakant Kadam, Jailor Group II, Nashik Road Central Prison Nashik.

**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 13th JUNE, 2024

P.C:-

1. In continuation of the order dated 11/06/2024, the learned APP has come up with necessary instructions from Mr. Ravindra Koshti, Personal Assistant, office of Deputy Inspector of Prison Nashik Division, Nashik.

She has instructions to make a statement that for the purpose of attending the 40th day rituals of his mother, which are scheduled on 15/06/2024. The Jailor Nashik Central Prison expresses no difficulty in releasing the applicant Muzammil Shaikh on parole for the said purpose, but restricting the release only for two days.

The learned APP Smt. Kaushik make a categorical statement on instructions that, the applicant is entitled to be released without being accompanied by the escort and he shall attend the

rituals to be performed at his residence, which falls within the jurisdiction of Naya Nagar Police Station, Mira Road, District Thane.

She also make a statement that, in order to enable the applicant to attend the ceremony scheduled on 15/06/2024, he shall be released from Nashik Central Prison tomorrow i.e. 14/06/2024.

Though she has instructions to make a statement that parole can be availed by him for period of two days, considering the cause for which he has sought parole, we deem it appropriate to permit him to avail the emergency parole for 5 days commencing from 14/06/2024. He shall surrender to Nashik Central Prison before 12:00 afternoon on 19/06/2024.

2. Before his release, the applicant shall execute a personal bond undertaking to avail the parole leave and for reporting to the prison on 19/06/2024, before 12:00 noon.

He shall also give the contact number of two of his family members, whose existence and location shall be ascertained before the applicant is released tomorrow.

The applicant shall report to Naya Nagar Police Station, Mira Road, District Thane, on each day when he avail his parole leave between 05:00 p.m. to 06:00 p.m.

3. With the aforesaid direction, Writ Petition is made absolute.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)