



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 261 OF 2024

Ganesh Radheshyam Sharma

Vs.

Superintendent of Jail, Central Prison, Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Ratna Singh, Advocate for petitioner.

Ms. Nandita Tripathi, APP for respondent/State.

CORAM : VINAY JOSHI, AND
SMT.VRUSHALI V. JOSHI, JJ.

DATE : 02.05.2024

Heard.

2. The petitioner has applied for regular parole on account of illness of his son. The authority vide communication dated 09.02.2024 declined to entertain the application for the reason that a period of one and half year is not passed from the last release.

3. In view of the Full Bench decision of this Court in case of *Kantilal Nandlal Jaiswal V. Divisional Commissioner, Nagpur reported in (2019)*

6 Mah.L.J 186 the said reason is not sustainable in the eyes of law.

4. In view of the above, we direct the respondent herein to reconsider the petitioner's urge on other ground and take appropriate decision as permissible according to law. The said exercise shall be completed within two weeks from the date of receipt of this communication. Petition stands disposed of in above terms. We, hereby direct the authority that they shall not reject the parole leave application on the ground which has been concluded by this Court in regard to the above referred Full Bench decision of this Court.

5. We have already issued such instructions to the respondent – authority to take note of Full Bench decisions in various orders for instance order dated 05.02.2024 in Criminal Writ Petition No.112/2024. Henceforth, the above directions shall be followed to avoid unpleasant consequences.

(SMT. VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)