



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 356/2024.

Shaharukh khan Baba Khan Pathan

-VERSUS-

Divisional Commissioner, Amravati and another.

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

Court's or Judge's Orders

Ms R. Singh, Advocate for the Petitioner.
Ms N. Tripathi, A.P.P. for Respondents.

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

DATE : APRIL 23, 2024.

Heard.

2. The petitioner has applied for regular parole on account of illness of his mother. The Authority vide communication dated March, 2024 declined to entertain the prayer of the petitioner for the reason that a period of one and half year has not passed from his last release.

3. In view of Full Bench decision of this Court in case of **Kantilal Nandlal Jaiswal .vrs. Divisional Commissioner, Nagpur – [2019] 6**

Mh.L.J.186, the said reason is not sustainable in the eyes of law.

4. In view of above, we direct respondents to reconsider the urge of the petitioner and take appropriate decision as permissible in law. The said exercise shall be completed within a period of two weeks from the date of receipt of this order. The authority shall not reject the parole application of the petitioner on the ground which has been concluded by this Court by the Full Bench decision referred above.

5. Writ Petition is accordingly disposed of in aforesaid terms.

JUDGE

JUDGE