



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

CRIMINAL WRIT PETITION NO. 770 OF 2024

Swapnil Ajabrao Kharape (C-6390)

vs.

Divisional Commissioner, Amravati, Dist. Amravati and another.

Mr. R.R.Maddalwar, Advocate h/f Ms Ratna Singh, Advocate for petitioner.
Ms N. R. Tripathi, Additional Government Pleader for respondents-State.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 25th NOVEMBER, 2024

P. C.

Heard.

2. Vide impugned order dated 01.08.2024 the competent authority viz. Divisional Commissioner has refused to grant Parole to the petitioner on the ground of threats to the law and order.

3. Our attention is invited to the earlier order dated 21.08.2024 whereby the petitioner was released on furlough for a period of twenty one days. The Police Station Officer, P. S. Frezarpura, Amravati City, has certified that there are no complaints during the period in which the petitioner was on furlough.

4. In such an eventuality, the basis which is formed for the purpose of rejection of prayer for grant of Parole cannot be said to be justified as during the period in which the petitioner was on furlough, there are no adverse incident recorded as against the petitioner.

5. That being so, the impugned order is quashed and set aside.

We direct the respondents to admit the petitioner on parole upon compliance of usual terms and conditions.

6. The criminal writ petition stands allowed in above terms.

(VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.