



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

21 CRIMINAL WRIT PETITION NO. 254 OF 2025

VILASH KONDIBA GALANDE (C-9604)

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Ms. Sharda P. Chate Advocate for Petitioner.

Mr. A.D. Wange, A.P.P. for Respondents.

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**CORAM: SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATE : 11th MARCH, 2025

ORDER :

1. Present petition has been filed to direct respondent No.2 to decide the petitioner's application for extension of parole leave for 30 days and in the alternate, it was for giving him extension of parole leave from 11th March 2025 for a period of 30 days.
2. Heard learned Advocate for the petitioner as well as learned APP for the respondents.
3. Learned APP placed on record the order dated 10th March 2025 passed by respondent No.2 on application filed by the

petitioner for extension of parole leave. It is taken on record by marking Exhibit-A--- By this order the said application has been rejected on the ground that there is no provision for extension of time in Rule 18 of the Maharashtra Prisons (Furlough and Parole) Rules 2024, which came into force on 2nd December 2024.

4. Here it is to be noted that the petitioner's son is required to undergo an operation for urinary track and to that effect he has taken necessary documents from the civil hospital as well as OPD papers dated 28th August 2024. Learned Advocate says that since last two years son of the petitioner is suffering, however now the son is giving examination of 10th standard, which would end on 17th March 2025. The petitioner is presently on parole leave and his date of surrender is today i.e. 11th March 2025. Therefore, on humanitarian ground it is stated that the parole leave be extended.

5. We have considered Rule 18 of the Maharashtra Prisons (Furlough and Parole) Rules 2024. It states that parole shall not be extended beyond the sanctioned period under any circumstance. The concerned authority under the said Rules might not be having powers to extend the said period but

certainly in extreme but deserving cases this Court can exercise its constitutional powers. Certainly, in this case the genuine difficulty now for the son of the petitioner to undergo the said operation was his examination of 10th standard. Though he appears to have been suffering since last two years, yet we cannot ask the question as to why operation was not undergone during this period of two years taking into consideration the fact that the petitioner is behind the bars.

6. Therefore, as an exceptional case on humanitarian ground we extend the period of parole leave. The operation should be planned by the petitioner on or before 19th March 2025 or 20th March 2025 and thereafter he would be allowed to be with the son for approximately one week. Therefore, we extend parole leave of the petitioner till 26th March 2025. In any case, then the petitioner should surrender himself to the prison authorities by 5.00 p.m. on 26th March 2025. With these observations, we dispose of the Writ Petition.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE