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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1222 OF 2025

Shaikh Raju Gulab Alias Rjau Jahagirdar (C-10234) PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....
Mr. Rupesh Anil Jaiswal, Advocate for the Petitioner
Mr. K. S. Patil, APP for Respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, &
SMT. VAISHALI PATIL-JADHAV, J. J.]

DATE : 6th OCTOBER, 2025

ORDER :

1. Petitioner – a convict, who is undergoing sentence of life imprisonment at Harsul Central Prison, Chhatrapati Sambhaji Nagar, seeks parole leave, so as to enable him to execute Power of Attorney in favour of his son, as his property is under attachment of the Bank.

2. Petitioner applied to Respondent No.3 on 5th August, 2025, for grant of regular parole leave to enable him to execute power of attorney in favour of his son, as the Bank officials, from whom the Petitioner has availed loan, have initiated attachment and sell proceedings of his property, as installments of loan are defaulted. The Petitioner, with a view to clear the dues of the

Bank, intends to sell his property and for that purpose he intends to execute power of attorney in favour of his son. It is the contention of the Petitioner that his application for parole leave is not considered by the Respondent and he is orally informed that the application cannot be considered.

3. The Respondents, by filing reply, have contended that the petitioner has availed parole and furlough leave facility thrice and, therefore, he is not entitled for further parole leave.

4. In the affidavit in reply, filed by the Respondent, a provision of Prison Manual, Chapter XXXI, Section I, Statutory Rules, Rule 18 is quoted, which empowers the Superintendent to grant parole leave on being satisfied about the merits of the case. Sub clause "a" of Rule 18 also provides that parole leave can be granted to effect sell, transfer or disposal of property outside the prison, in accordance with law.

5. We asked the learned APP as to whether the Petitioner can be granted parole leave under escort. On instructions, from the Jailer Mr. I. Y. Sayyad, who is present in the Court, he submits that if the Petitioner deposits escort charges with the Commissioner of Police, Chhatrapati Sambhaji Nagar, he can be granted Parole leave under the orders of this Court.

ORDER

- A. On depositing the escort charges with the Commissioner of Police, Chhatrapati Sambhaji Nagar, Petitioner be granted two days' parole leave under escort to execute power of attorney in favour of his son.
- B. Learned APP to ensure that the escort charges are informed to the Petitioner on or before 10th October, 2025.
- C. On deposit of the said escort charges, Petitioner be released on parole leave in escort for a period of two days.
- D. With these directions, the Criminal Writ Petition is disposed of.

[SMT. VAISHALI PATIL-JADHAV] [NITIN B. SURYAWANSHI]
JUDGE JUDGE