



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1434 OF 2025

Pandurang Narayan Kadam

....Petitioner

VERSUS

Deputy Inspector General Prisons And
Another

.....Respondents

.....
Mr. Rupesh Jaiswal, Advocate for the Petitioner
Mr. A.S. Shinde, APP for State

.....

**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL JADHAV, J.J.**

DATE : 14th OCTOBER, 2025

ORDER :

1. By this petition filed under Article 226 and 227 of the Constitution of India, petitioner seeks direction to respondents to release him on parole of 20 days, so as to accompany his son for taking admission for the Engineering course.

2. Petitioner, a life convict, applied for parole on the ground that his son Avdhoot is intending to take admission in Engineering College at Pune. He therefore applied for parole leave so as to accompany his son for taking admission in the college and arrange for the fees. Said application is rejected on the ground that cause of the petitioner does not fall within the purview of Rule 12 of Maharashtra

Prison (Furlough and Parole) Rules 2024.

3. Heard learned advocate for the petitioner and learned APP for the State. In support of the petition, learned advocate for the petitioner has relied on the order passed by this Court at Principal Seat in Writ Petition No. 2715 of 2024.

4. Learned APP submits that since the ground on which parole is sought is not contemplated by Rule 12, said request is rightly rejected by the respondents. He further submits that petitioner has already availed parole for this year and therefore he is not entitled to be released on parole.

5. Similar facts and prayer was considered by this Court at Principal Seat in Writ Petition No. 2715 of 2024. Relevant observations made by this Court are as follows:

7. When we consider the aim and object of the Rules formulated for releasing the convict either on parole or on furlough, one thing is very prominent, i.e. the said release is warranted so as to enable the inmate to maintain continuity with his family life and deal with the family matters and also to save him from the evil effects of continuous prison life and maintain his mental balance by creating active interest in life and to enable him to remain hopeful for the future.

Time and again, the Rules have received a positive interpretation and the Courts have construed the Rules liberally in favour of a convict.

The provisions of Parole and Furlough have been time and again looked towards as a humanistic approach towards the convicts lodged in Jail for an act purely attributed to them. However, while they remain to be incarcerated and are undergoing the punishment for their act, in order to afford an opportunity to them to be in touch with the outside world and to arrange for their family affairs as though behind bars, the convict continue to someone's son, husband, father, brother and upon being released, though for temporary period on Furlough or in an emergency situation on parole, like death of a member of family or to attend to a member on account of his illness, the Furlough and Parole have received approval as conditional release of a prisoner which is governed by the Rules of 1959, governing such a release from custody though for a short temporary period by ensuring that he duly returns in the prison.

8.

9. *The petitioner has placed on record the offer letter from the concerned University and a reading of the same would necessarily lead as to an inference, that for getting him admitted in institution and for arranging for his traveling expenses, huge amount has to be garnered and unless and until the father is available to arrange for this amount, his young son may lose a chance and the offer which he has received.*

In addition, we also feel that, this is a moment to rejoice, when his son deserves a goodbye with best wishes being bestowed upon him from his father, and we do not intend that he should be kept away from this moment, which brings pride to him, being a father. If for the purpose of celebration of

marriage parole can be granted, we fail to understand why merely because the rule do not contemplate such a contingency, the benefit of this rule shall not be extended to the petitioner.”

We are in respectful agreement with the above observations. Petitioner’s case is squarely covered by the aforesaid observations.

6. Coming to the facts of the present case, we are told that petitioner’s son has already got admission in Engineering College at Pune for Engineering Course and he is asked to deposit fees of Rs. 72,000/- for the first year course by 18.10.2025. The petitioner being father needs to make financial arrangements for his son.

7. For the aforestated reasons, we deem it appropriate to release the petitioner on parole for a period of 10 days, which shall commence from tomorrow i.e. 15.10.2025. Petitioner shall report back to Harsul Prison on 25.10.2025.

8. Writ petition stands disposed of.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)