

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6669 OF 2025**

Shakir Ahmed Abdul Hamid Khan @ KaluPetitioner

Vs.

The State Of Maharashtra & Anr.Respondents

Mr. Sankalp Vichare i/by Adv. Rahul Arote for the Petitioner.
Mr. Vinod Chate APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.
DATE : 22nd DECEMBER, 2025.**

P.C.:-

1) By this Petition under Article 226 of the Constitution of India, the Petitioner is seeking parole leave for the period from 1st January, 2026 to 30th January, 2026, to attend the marriage ceremony and reception of his grand-daughter namely Ms. Inshra Khan.

2) Record indicates that, Petitioner has been convicted under Section 302 read with other sections of the IPC and is sentenced to suffer imprisonment for life by the learned Additional Sessions Judge, Sewree, Mumbai, in Sessions Case No.414 of 2009, by its Judgment and Order dated 28th February, 2012.

3) Learned Advocate for the Petitioner submitted that, the Petitioner is behind the bars since the date of his arrest i.e. since 6th April, 2009 and till date has completed about 16 years in incarceration. That, the Petitioner was earlier released on furlough leave for obsequies ceremony of his son, who was also an accused along with him in the said crime. He submitted that, the marriage ceremony and reception of his grand-daughter namely Ms. Inshra Khan is scheduled on 4th January, 2026 and 6th January, 2026 respectively. That, the son of the Petitioner and father of Ms. Inshra Khan has pre-deceased and therefore the presence of Petitioner being a grand-father is necessary to the said marriage ceremony and reception. He therefore prayed that, the Petitioner may be released on parole leave to attend the said programme/ceremonies.

4) Learned APP on instructions submitted that, the photocopy of the Marriage Invitation Card annexed to the Petition has been verified by the concerned Police Officer and found to be genuine. He therefore submitted that, this Court may pass necessary Orders in the interest of justice.

5) Perusal of record indicates that, the facts mentioned by the learned Advocate for the Petitioner and recorded in paragraph No.3 above are correct. The son of the Petitioner and father of Ms. Inshra Khan has pre-deceased. Petitioner is the only senior person in the family to oversee the marriage ceremony and reception of his grand-daughter.

6) Taking into consideration the overall view of the case, we are of the opinion that, the Petitioner can be released on parole leave for a period of 5 days i.e. from 11.00 a.m. of 3rd January, 2026 till 5.00 p.m. of 7th January, 2026.

6.1) Hence the following Order:-

- i) Petitioner be released on parole leave from 11.00 a.m. of 3rd January, 2026 till 5.00 p.m. of 7th January, 2026, on his furnishing Cash Security of Rs.25,000/-.
- ii) The said Cash Security be deposited with the Superintendent of Kolhapur Central Prison.
- iii) Petitioner shall report to the Kolhapur Central Prison on or before 5.00 p.m. of 7th January, 2026.
- iv) Upon his reporting back to the Jail Authority on 7th January, 2026, the Superintendent, Kolhapur Central Prison, is directed to refund the said Cash Security to the Petitioner without any demur or protest in that behalf within three days thereafter.

7) Petition is allowed in the aforesaid terms.

(RANJITSINHA RAJA BHONSALE J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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