

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1233 OF 2025
WITH
CRIMINAL APPEAL NO. 1196 OF 2018**

Jeewan Devram Shirsath

.... Appellant

versus

The State of Maharashtra
Through Mahatma Phule Chowk,
Police Station

.... Respondent

.....

Ms. Syed Shabana M. Ali, Advocate for the Appellant/Applicant.
Ms. Sharmila S. Kaushik, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL &
ADVAIT M. SETHNA, JJ.**

DATE : 21st AUGUST 2025

P.C. :

1. This is an Application for bail for a temporary period of 180 days on the ground of surgery of applicant's mother. The applicant's Criminal Appeal No.1196 of 2018 is pending before this Court.

2. The learned APP pointed out that the applicant had approached Nagpur Bench of this Court vide Criminal Writ Petition No.352 of 2025. However, no such submissions in this regard, were made before us by the learned counsel for the Applicant and it is also not mentioned in the present Application. The Division Bench of the Nagpur Bench in Criminal Writ Petition No.352 of 2025 has passed the following order:-

“ *After having heard the matter for some time it appears that there is an alternative and effective remedy available to the petitioner to approach the Appellate Authority in terms of Rule 6 of the Maharashtra Prisons (Furlough and Parole) Rules, 2024.*

3. *We permit the petitioner to approach the Appellate Authority within a period of 15 days from today. The Appellate Authority shall proceed to decide the appeal, in accordance with the provisions of 2024 Rules, as expeditiously as possible and preferably within one month from the date of presenting the appeal.*

4. *With aforesaid liberty, Criminal Writ Petition is disposed of.”*

3. The learned APP submitted a report dated 21st August 2025 under the signature of the Jail Superintendent, Amravati Central Prison where the Applicant is detained at present. Such report mentions that the Applicant has already made an

application before the Authorities for his release on parole on the ground of his mother's illness. That application is pending. The report mentions that the Applicant was repeatedly told to submit necessary medical certificates but the Applicant had not supplied those certificates and therefore, no decision is taken on that application till date. The pendency of such application was also not informed to this Court.

4. In this background, the learned counsel for the Applicant prays for withdrawal of this Application to pursue the aforesaid application for parole before the competent authorities. Permission is granted. The Authorities shall consider his application expeditiously.

5. Application is allowed to be withdrawn with such liberty.

(ADVAIT M. SETHNA, J.)

(SARANG V. KOTWAL, J.)