



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO.801/2025

Amar Omvir Singh Rath (C-5067),
Aged about 27 years, Occ. NA,
R/o Patti Bhojana, Post Tikri,
Tah. Baraut, Dist Bagpath, Uttar Pradesh.

.....PETITIONER

...V E R S U S...

1. Additional Director General of
Police and Inspector General of Prison
& Correctional Services, Pune.
2. Deputy Inspector General of Prison
(East Region), Nagpur.
3. Superintendent of Jail, Central Prison,
Amravati.

...RESPONDENTS

Mrs. R. Singh, Advocate for petitioner.
Mr. I. Damle, A.P.P. for respondents.

CORAM:- ANIL L. PANSARE AND RAJ. D. WAKOKE, JJ.
DATE :- 13.11.2025

ORAL JUDGMENT (Per: Anil L. Pansare, J.)

Heard. Issue Rule, returnable forthwith. Heard Mrs. R. Singh, learned counsel for petitioner and Mr. I. Damle, learned A.P.P. for respondents. With consent of learned counsel for the parties, the petition is taken up for final hearing.

2. In response to order dated 13.10.2025, learned A.P.P. submits that medical certificate submitted by the petitioner about ailment of his mother has been verified from Civil Surgeon, Bagpath,

Uttar Pradesh. He has certified that the petitioner's mother is suffering from ailments mentioned in the certificate.

3. As such, the application seeking parole leave was rejected by respondent No.1 on the ground that Medical Certificate furnished by the petitioner was not verified and attested by Civil Surgeon, Medical Superintendent or Medical Officer of the Government Hospital, we found this approach to be strange, in the sense, to expect a citizen to directly approach Civil Surgeon or Medical Superintendent or Medical Officer of Government Hospital and request him to attest the medical certificate, will naturally be not entertained directly by these officers. Accordingly, by order dated 13.10.2025, we called upon the learned A.P.P. to show us from the provisions or otherwise that such facility exists in the State of Maharashtra where a citizen can directly approach the Government Hospital with a request to verify and attest the medical certificate issued to him by the private doctors. We also expected the Superintendent of Prison to take corrective steps. Accordingly, Superintendent of Prison has forwarded the document to the concerned Civil Surgeon who has verified the same to be true and correct.

4. Thus, it is now certified that petitioner's mother is suffering from diffused disk bulge at L4-5 level, causing severe compromise of bilateral neural foramina with impingement over bilateral exiting nerve roots.

5. Learned counsel for the petitioner submits that the petitioner has been not released from the date of his arrest. He is in jail for last 10 years. There are no complaints against the petitioner.

6. That being so, the petitioner has made out a case for parole. The writ petition is accordingly allowed. Order dated 18.09.2025, passed by respondent No.1 is quashed and set aside. The respondents are directed to release the petitioner on parole under Rule 13(1) of the Maharashtra Prisons (Furlough Parole) Rules, 2024, for a period of 40 days. The petitioner shall surrender to prison authority on the 40th day from the date of release.

Rule is made absolute in the above terms.

(Raj D. Wakoke, J.)

(Anil L. Pansare, J.)

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