

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

CRIMINAL WRIT PETITION NO. 468 OF 2026

Shaikh Sarfaraz s/o Musa Shaikh

Petitioner

Versus

1. Inspector General of Prisons,
Pune
2. Deputy Inspector General of
Prison, Chh. Sambhajinagar
3. Superintendent, Central
Prison, Harsul, Chhatrapati
Sambhajinagar

Respondents

...
Mr. Rupesh Jaiswal, Advocate for the petitioner.
Mrs. M.N. Ghanekar, A.P.P. for respondents-State.
...

**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : 9 APRIL 2026

Order (Per Sandipkumar C. More, J.) :

1. Heard.
2. By way of this writ petition, the petitioner is seeking direction to the respondents for extending his parole leave for further period of 30 days.
3. Admittedly, the petitioner is a convict and undergoing life imprisonment for the offence punishable under Section 302 of

the Indian Penal Code. During this period, he has has been released parole leave on 04.03.2026 till 14.04.2026. However, since his mother required surgery on account of medical complications, he filed application on 28.03.2026 to respondent No.2 for extension of parole leave. However, respondent No.2 rejected his application in view of Rule 18 of the Maharashtra Prison (Furlough and Parole) Rules, 2024. Hence this petition.

4. Learned counsel Mr. Jaiswal for the petitioner submits that the petitioner has been granted with parole leave on account of illness of his mother and medical treatment thereto. According to him, the necessary surgery could not be carried out due to instable condition of his mother, and therefore, certain additional period is required for performing such surgery and for that purpose, extension as sought, is required.

5. On the contrary, learned A.P.P. strongly opposed the submissions on the ground that as per Rule 18 of the aforesaid Furlough and Parole Rules, 2024, there is no express provision for extension of parole leave, and therefore, request of the petitioner cannot be allowed. Moreover, she submitted that the petitioner, at the time of applying for parole leave or

thereafter did not furnish any document about the health of his mother.

6. Admittedly, the petitioner is on parole leave which is going to end on 14.04.2026. However, the petitioner has relied upon the certificate dated 21.03.2026 wherein it is mentioned that operation of the mother of petitioner was postponed for two months due to her anemic condition and uncontrolled sugar. It is to be noted that there is no express provision of extension of parole leave in the aforesaid Rules of 2024. However, this Court, vide order dated 21.01.2026 in Criminal Writ Petition No.11 of 2026 and order dated 09.02.2026 in Criminal Writ Petition No. 211 of 2026, by considering the difficulty of the then petitioners, had already extended the period of parole leave in those matters. Therefore, in view of those orders, similar order can be passed in this matter also.

7. In view of the same, the petition stands partly allowed and the parole leave of the petitioner stands extended till 08.05.2026. The respondents are directed to issue fresh order in respect of this further extension of parole leave in the line of earlier direction. The petitioner shall surrender himself on 08.05.2026 at 5.00 p.m. However, at the time of his surrender

the petitioner shall submit entire medical record of his mother including the surgery papers, to the Jail Authority.

8. The petition stands disposed of accordingly.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE