

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2442 OF 2007

Hassan Mohmmad Makwana. .. Applicant.

vs.

State of Maharashtra & Ors. .. Respondents.

Mr. Q.A. Siddiqui i/by Rajendra Rathod
for Applicant.

Mr. S.N. Gawade APP., for the State.

CORAM: J.N. PATEL, J.

(VACATION COURT)

DATE: 28TH DECEMBER, 2007.

P.C.

. Heard.

2. The short relief which is sought is that he has to attend the marriage of his daughter which is scheduled to be held on 6.1.2008.

3. The applicant has filed an application for parole which came to be rejected on 16.8.2007 by jail authorities. The applicant is convicted and sentenced to suffer imprisonment for life for having committed an offence of murder uptill the Supreme Court.

4. The rules for granting furlough and parole does not permit a person to be released on parole to attend his daughters marriage. Therefore, the decision taken by the competent authority rejecting the application of the applicant for parole cannot be faulted with.

5. Taking into consideration that the petitioner is keen to attend his daughter's marriage which is to be held on 6.1.2008 at 5.00 p.m. this Court directs I.G. - Prison to transfer the applicant from Central Prison, Yerawada to Aurther Road/Bombay Central Prison and further directs the Superintendent, Bombay Central Prison to make necessary arrangement for an escort party to take the applicant in custody to the venue of the marriage to enable him to attend his daughter's marriage on 6.1.2008 between 2.00 p.m. to 8.00 p.m. as the marriage is to take place at 5.00 p.m. In no case, the applicant should be allowed to stay at the venue of the marriage beyond the stipulated period. The escort would be provided to the applicant to facilitate him to attend his daughter's marriage at the cost of the applicant which should be deposited in advance i.e. on or before 2.1.2008 in the office of Superintendent, Central Prison, Yervada.

6. The application stands disposed of accordingly.

7. The parties to act on the ordinary copy of this order duly authenticated by the Private Secretary of

this Court.

(J.N. Patel, J.)