

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

CRIMINAL WRIT PETITION NO.1465 OF 2011

Jagdish @ Jaggu Karsan Baricha.

..Petitioner.

Vs.

The State of Maharashtra.

..Respondents.

.....

Smt. Nanubai Karsan Baricha, mother of the petitioner present in person.

Mr.P.A. Pol, Public Prosecutor for the Respondent – State.

.....

**CORAM : A.R. JOSHI AND
M.N. GILANI, JJ.
[VACATION COURT]**

DATED : 30th MAY, 2011.

P.C.

- 1. Heard rival submissions. Rule. Rule is made returnable forthwith.**
- 2. By the present Petition through jail, the petitioner – a life convict is asking for concession to remain present for the death anniversary rituals of his deceased father to be performed on 31st May, 2011. Application to the jail authorities was made on 21st May, 2011, however, it was sent to the Registry of this Court**

on 27th May, 2011 and hardly there is any time now for asking the petitioner to again go to the competent authority and ask for relief of parole or any concession for remaining present for the rituals.

3. Considering the above and considering the request of the mother of the petitioner and considering that she is agreeing to bear the expenses for the police escort from Paithan Open Jail to the place of the rituals, present Writ Petition is allowed with following directions :

:: O R D E R ::

[i] Concerned jail authorities of Paithan Open Prison shall arrange for taking the petitioner/prisoner to the place where the death anniversary rituals of deceased father of the petitioner are to be performed on 31st May, 2011. Petitioner be taken to such place for the day of 31st May, 2011 in police escort.

[ii] The costs to be quantified by the concerned authorities, shall be borne by the petitioner and to be deposited with the concerned authorities.

[iii] The Superintendent of Police (Rural), Aurangabad to arrange for the escort party and comply these directions.

[iv] The petitioner to be taken back to the concerned jail on or prior to 1st June, 2011.

[v] With the above directions, Writ Petition is disposed of. Rule is made absolute accordingly.

[vi] Concerned parties to act upon an authenticated copy of this order duly authenticated by the Registry of this Court.

(M.N. GILANI, J.)

(A.R. JOSHI, J.)