

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 10162 of 2019**

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ABBASKHAN SAHBAZKHAN BHATTI THRO NASILA KHATUN ABBASKHAN
BHATTI
Versus
STATE OF GUJARAT

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Appearance:

Ms DIPIKA P BAJPAI(8365) for the Applicant(s) No. 1

for the Respondent(s) No. 2,3

PUBLIC PROSECUTOR(2) for the Respondent(s) No. 1

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CORAM: HONOURABLE MS JUSTICE SONIA GOKANI

Date : 29/11/2019

ORAL ORDER

1. Rule returnable forthwith. Mr. Jirga Jhaveri, learned Additional Public Prosecutor waives service of notice of rule for and on behalf of respondent-State.
2. Applicant is in jail for the past 17 years. His last release is in the month of August, 2019. Presently, he is seeking parole leave by assisting his mother and getting the medical treatment. His wife is also suffering from spleen enlargement. He has a 05 years daughter. His wife's angiography is required to be done and she is suffering from heart ailment for some

time.

3. Considering the total period he has spent in jail, coupled with his family conditions, particularly, the medical ailment of both the wives and the mother, the Court is inclined to consider his case for the period of two weeks.
4. Accordingly, this application is partly allowed and the applicant is ordered to be released on parole leave for the period of two weeks from the date of actual release and on his furnishing a bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety of the like amount to the satisfaction of the jail authority concerned and subject to the conditions that the applicant;
 - (a) shall not in any manner directly or indirectly make any inducement, threat or promise to any witness nor would act in contravention of prevalent law;
 - (b) shall at the time of execution of bond, furnish the address to the Jail Superintendent and shall not change the residence without intimation;
 - (c) will not leave the State of Gujarat and, if is

holding a Passport, shall surrender the same before the trial Court;

5. On completion of the parole leave, the applicant convict shall surrender before the jail authorities in time. Any default on the part of the applicant convict shall meet with a consequential order.

6. Applicant's return to the jail shall be intimated by the jail authority concerned to this Court by way of a communication. Any such communication received shall form part of this Courts record.

7. Office to send a copy of this order to the Superintendent of the concerned jail, **FORTHWITH**.

8. Rule is made absolute to the above extent. Direct service is also permitted.

(MS. SONIA GOKANI, J.)

SUDHIR