

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 7492 of 2020

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RATILALBHAI BABUBHAI KATHROTIYA
 Versus
 STATE OF GUJARAT

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Appearance:

MS.AKSHITABA SOLANKI(6782) for the Applicant(s) No. 1,2,3
 for the Respondent(s) No. 2,3
 MS. MAITHILI MEHTA, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE DR. JUSTICE ASHOKKUMAR C. JOSHI**

Date : 27/11/2020

ORAL ORDER

1. Heard learned Advocate Ms. Akshitaba Solanki for the Applicants and learned APP Ms. Maithili Mehta for the Respondent – State of Gujarat.
2. The present application is filed by the Applicants for enlarging them on parole leave for a period of 30 days on the ground of Mamera Ceremony of Nephews Marriage (Sister's Sons).
3. Rule returnable forthwith. Learned APP Ms. Maithili Mehta waives service of Rule on behalf of the Respondent State.

Factual Matrix of the case is as under:

4. Learned Advocate for the Applicant has submitted that the first nephew's religious and social function is fixed on 26.11.2020 to 27.11.2020 and the second nephew's on 8.12.2020 to 9.12.2020. The prisoners being Mama of said Keval and Ashok has to perform certain rituals and arrange finance for the said occasion and the Applicants' father is also in jail.

5. Per contra, learned APP has opposed the bail application.

6. Having heard the arguments advanced by the learned learned Advocate for the Applicant and considering the facts and circumstance of the case, this court is inclined to exercise discretion in favour of the applicants. The Application is also supported with the Wedding Cards which are placed on record. This Court has also considered the jail report. The conduct of the Applicants is good.

7. The application is allowed partly. The Applicants are ordered to be released on parole for a period of 15 days from the date of their actual release, upon their furnishing a personal bond of **Rs.5,000/-** (Rupees Five Thousand only) each with a surety of the like amount to the satisfaction of the jail authority, and on a further condition that he shall surrender to the Jail authorities on expiry of the parole period. The Applicants shall mark their presence before the concerned Police Station every week. The Applicant shall maintain all the rules and regulations framed by the Municipality /Corporation / State Government or by any competent authority, including maintaining social distancing regarding contemporary status of COVID-19 / Corona Virus.

8. The application is allowed in the aforesaid terms. Rule is made absolute. Registry is directed to communicate this order to the concerned jail authorities by fax / e-mail.

Direct service is permitted by e-mail / fax / any other electronic mode.

(DR. ASHOKKUMAR C. JOSHI,J)

J.N. W