

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 2944 of 2021

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MUSTAKBHAI AALAMBHAI PARMAR THRO NOORJAH ALAMBHAI
PARMAR
Versus
STATE OF GUJARAT

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Appearance:

MR BH SOLANKI(5353) for the Applicant(s) No. 1

for the Respondent(s) No. 2,3

MR RC KODEKAR, APP (2) for the Respondent(s) No. 1

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CORAM: **HONOURABLE DR. JUSTICE A. P. THAKER**

Date : 31/03/2021

ORAL ORDER

[1] **RULE.** Learned Additional Public Prosecutor waives service of notice of Rule on behalf of the respondent - State.

[2] The present application has been filed by the applicant - convict, praying to release him on parole leave on the ground of making financial arrangement for school fees of his minor children.

[3] Heard Ms.Solanki, learned advocate for the applicant and Mr.Kodekar, learned Additional Public Prosecutor appearing for the respondent-State. I have also gone through the jail record of the convict. It is averred in the application that financial condition of the family is very bad and presence of the applicant is required. As per the jail report, convict is in jail since last about 19 years and one month. As per jail record, whenever the convict is released on either parole or furlough, he has returned to jail in time. His conduct in jail is also good.

[4] Considering the aforesaid facts and circumstances of the case and the sentence undergone by the convict, I am of the opinion that the application requires consideration. Hence, the present application is partly allowed. The convict is ordered to be released on parole leave for a period of **Two Weeks** from the date of his actual release on usual terms and conditions and during this period he shall mark his presence to the nearest police station once in a week between 11 a.m. to 2 p.m.. The convict shall surrender to the Jail Authority on completion of the parole leave, without fail. During the period of parole leave, the convict shall not abuse the liberty granted to him and shall maintain law and order. It is clarified that no further extension shall be granted to the convict. Rule is made absolute accordingly.

(DR. A. P. THAKER, J)

R.S. MALEK