

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 1121 of 2022**

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AMAD IBRAHIM SANDHI

Versus

STATE OF GUJARAT & 1 other(s)

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Appearance:

THROUGH JAIL for the Applicant(s) No. 1

for the Respondent(s) No. 2,3

MR CHINTAN DAVE, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA**Date : 31/01/2022****ORAL ORDER**

1. The applicant, who has been sentenced for life imprisonment, has filed present application through jail for releasing him on parole leave for a period of 90 days as the competent authority has rejected his parole application by order dated 29.12.2021.

2. The convict is claiming parole leave on the medical ground as he is suffering from cancer.

3. Record indicates that application of parole leave has been rejected as there is negative opinion of the police authority and the reason for parole leave is not in consonance with the guidelines of parole.

4. It is settled law that the grant of parole is not a right vested with the prisoner and is rather a privilege available to the prisoner on fulfilling certain conditions. This is a discretionary power which has to be exercised by the authorities conferred with such powers under the provisions of the Prisons (Bombay Furlough and Parole) Rules, 1959.

5. Having regard to the grounds mentioned in the application for parole, jail remarks and reason for rejecting parole leave by the authority, this Court does not find any infirmity with the order passed by the authority while rejecting the claim of the prisoner for grant of parole. Consequently, the application deserves to be dismissed and same is accordingly dismissed.

(ILESH J. VORA,J)

SUCHIT