

(2021) 04 GUJ CK 0003

In the Gujarat High Court

Case No : R/Special Criminal Application No. 3293 Of 2021

Ashokbhai Bachubhai Chavda

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 01-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 114, 302, 324

Citation : (2021) 04 GUJ CK 0003

Hon'ble Judges : Dr. A. P. Thaker, J

Bench : Single Bench

Advocate : R.C.Kodekar

Final Decision : Allowed

Judgement

Dr. A. P. Thaker, J

1. RULE. Mr. R.C. Kodekar, learned Additional Public Prosecutor waives service of notice of rule on behalf of the respondent - State. Rule is fixed forthwith.
2. The present application has been filed by the applicant - convict, through jail praying to release him on parole leave on the ground of treatment of his mother.
3. Heard Shri R.C. Kodekar, learned Additional Public Prosecutor for the respondent - State through video conferencing.
4. Learned Additional Public Prosecutor for the respondent - State has vehemently opposed in granting the parole leave.
5. This Court has gone through the jail record of the convict. It appears from the jail record that the convict was convicted for the offence punishable under Sections 302, 324 and 114 of the Indian Penal Code and sentenced to undergo life imprisonment.
6. Considering the aforesaid facts and circumstances of the case and the sentence undergone by the convict, this Court is of the opinion that the

application requires consideration. Hence, the present application is partly allowed. The applicant - convict is ordered to be released on parole leave for a period of three weeks from the date of his actual release on usual terms and conditions. The convict shall mark his presence once in a week before the concerned police station between 11.00 a.m to 2.00 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. Rule is made absolute accordingly. It is made clear that no further extension shall be granted.

7. On completion of such period, the applicant surrenders, he shall be tested of Covid-19 virus by the concerned Jail Authority and till report comes, he will be kept in seclusion and/or at a quarantine place.

8. Registry is directed to intimate about this order to the concerned jail authority through fax, email and/or any other suitable electronic mode.