
(2023) 12 GUJ CK 0087

In the Gujarat High Court

Case No : R/Special Criminal Application (Parole Leave) No. 16776 Of 2023

Bharatbhai Ganpatbhai Patni

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 28-12-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 125(3)

Citation : (2023) 12 GUJ CK 0087

Hon'ble Judges : Hasmukh D. Suthar, J

Bench : Single Bench

Advocate : Sonalben C Chavda, Maithali Mehta

Final Decision : Allowed

Judgement

Hasmukh D. Suthar, J

1. Rule. Learned APP waives service of notice for and on behalf of the respondent – State.
2. By way of the present application, the applicant has prayed to release him on parole leave for a period of 60 days.
3. Learned advocate for the applicant has submitted that the wife of the present applicant has registered maintenance application under Section 125(3) of the CrPC before the Family Court. It is submitted that the present applicant has undergone 150 days out of 365 days in jail.
4. Learned Additional Public Prosecutor for the respondent has opposed this application.
5. Considering the aforesaid facts and circumstances of the case and reasons stated in the application as well as looking to the jail record of the applicant, I am of the opinion that the present application requires consideration and the same is allowed. The applicant shall be released on parole leave for a period of seven (7) days from the date of his actual release on usual terms and conditions

and on executing of personal bond of Rs.10,000/- (Rupees Ten Thousand) to the satisfaction of the concerned Jail authority. The applicant shall surrender before the Jail Authority on completion of parole leave period, without fail and no further extension of parole leave shall be granted.

6. Rule is made absolute to the aforesaid extent. Registry is directed to communicate this order to the concerned Jail Authority by fax / email message forthwith. Direct service is permitted.