

(2021) 03 GUJ CK 0005

In the Gujarat High Court

Case No : R/Special Criminal Application No. 2483 Of 2021

Nareshbhai Manandbhai Dafda

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 01-03-2021

Acts Referred:

Indian Penal Code, 1860 — Section 302, 324, 450, 504
Gujarat Police Act, 1951 — Section 135

Citation : (2021) 03 GUJ CK 0005

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

Bench : Single Bench

Advocate : Moxa Thakkar

Final Decision : Partly Allowed

Judgement

Dr. A. P. Thaker, J

[1] RULE. Ms. Moxa Thakkar, learned Additional Public Prosecutor waives service of notice of Rule on behalf of the respondent Â? State.

[2] The present application has been filed by the applicant Â? convict, through jail praying to release him on parole leave for one month on the ground

of performing marriage as a guardian of daughter of his elder brother which is scheduled to be held on 11.3.2021.

[3] Heard Ms. Moxa Thakkar, learned Additional Public Prosecutor appearing for the respondentÂ? State and I have 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, 450, 324, 504 of the Indian

Penal Code and Section 135 of G.P.Act and sentenced to undergo life imprisonment. He has already undergone sentence of about 12 years and 5

months. From the jail record, it appears that whenever the convict was released

on parole / furlough leave, he surrendered in time. It also appears from the jail record that his jail conduct is 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 applicant Â 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 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. Convict be informed accordingly through concerned jail authority.

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