

(2021) 07 GUJ CK 0038

In the Gujarat High Court

Case No : R/Special Criminal Application No. 6885 Of 2021

Niteshbhai Sumanbhai Patel

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 22-07-2021

Acts Referred:

Indian Penal Code, 1860 — Section 302

Citation : (2021) 07 GUJ CK 0038

Hon'ble Judges : Nikhil S. Kariel, J

Bench : Single Bench

Advocate : J K Shah

Judgement

Nikhil S. Kariel, J

1. Rule. Learned Additional Public Prosecutor Mr. J.K. Shah waives service of Rule on behalf of the respondent â?" State.

2. By way of this application the applicant convict prays for being released on parole leave for the purpose of repairing of his house.

3. This Court has gone through the Jail record of the applicant as well as considered the averments made in the application. Jail remarks show that the applicant has been convicted for the offence punishable under Section 302 etc. of the Indian Penal Code and sentenced to undergo life imprisonment,

the applicant having undergone imprisonment for around 08 years as of now. Jail remarks also show that lastly the applicant had been released on

furlough leave in the month of April-May, 2021 and on parole leave in the month of January, 2021. Jail remarks also show that as and when the

applicant had been released previously, he has surrendered in time. Jail conduct of the applicant is stated to be good.

4. Having regard to the overall jail conduct of the applicant and having regard to the reasons stated in the application, this Court is inclined to allow this

application. The applicant is directed to be released on parole leave for a period of two weeks from the date of his actual release on executing

personal bond of Rs.10,000/- (Rupees Ten Thousand) before the Jail authority and on usual terms and conditions as may be imposed by the Jail

Authority.

5. The applicant convict shall surrender before Jail Authority on completion of parole leave, without fail. Rule is made absolute to the aforesaid extent.

6. After the completion of parole leave, the Jail Authority shall admit the applicant in jail after strictly following the Circular dated 03.06.2020 relating

to COVID-19 issued by the Superintendent of Jail, Ahmedabad.

7. Registry is directed to communicate this order to the concerned Jail Authority by fax / email message forthwith.