

(2021) 02 GUJ CK 0043

In the Gujarat High Court

Case No : R/Special Criminal Application No. 1000 Of 2021

Rajubhai @ Billo Meghjibhai Vala

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 09-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 302, 307

Citation : (2021) 02 GUJ CK 0043

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] Heard Ms. Moxa Thakkar, learned Additional Public Prosecutor for the respondent â?" State through Video Conferencing.

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

[3] The present application has been filed by the applicant - convict through jail praying to release him on parole leave on the ground of arranging funds to engage advocate for his case.

[4] Heard Ms. Moxa Thakkar, learned Additional Public Prosecutor appearing for the respondent- 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, 307 of the Indian Penal Code and sentenced to undergo life imprisonment. He has already undergone sentence of about 12 years and 10 months. From the jail record, it appears that

whenever the convict was released on parole leave, he surrendered in time. It also appears from the jail record that his jail conduct is good.

[5] 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 - convict is ordered to be released on parole leave for a period

of two 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.

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