

(2022) 06 GUJ CK 0026

In the Gujarat High Court

Case No : R/Special Criminal Application No. 5137 Of 2022

Ripal Dhirubhai Makwana

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 06-06-2022

Acts Referred:

Citation : (2022) 06 GUJ CK 0026

Hon'ble Judges : Nikhil S. Kariel, J

Bench : Single Bench

Advocate : Manjula R Chauhan, L B Dabhi

Final Decision : Allowed

Judgement

Nikhil S. Kariel, J

1. Heard learned Advocate Ms. Manjula R. Chauhan for the applicant and learned Additional Public Prosecutor Mr. L.B. Dabhi for the respondent – State.

2. Rule. Learned APP Mr. Dabhi waives service of Rule on behalf of the respondent-State.

3. By way of this application the applicant convict prays for being released on parole leave for the purpose of preferring an appeal before this Court against the order of conviction and sentence passed by the learned Sessions Court, Bhavnagar.

4. I have 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 302 of the Indian Penal Code amongst others and sentenced to undergo life imprisonment. Jail remarks also show that the applicant has undergone approximately 03 years and 06 months in prison as of now. Jail remarks further show that the applicant has not been released on any kind of leave whatsoever. The jail conduct of the applicant is shown to be good.

5. Considering the same and considering the reasons stated in the application, I am inclined to allow this application. The applicant is directed to be released on parole leave for a period of 15 days (fifteen days) 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.

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

Direct service is permitted.