

(2021) 03 GUJ CK 0001

In the Gujarat High Court

Case No : R/Special Criminal Application No. 2570 Of 2021

Shaikh Shabir Shaikh Rafik Shaikh

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 02-03-2021

Acts Referred:

Indian Penal Code, 1860 — Section 302, 364, 377

Citation : (2021) 03 GUJ CK 0001

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. 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 - convict, praying to release him on parole leave on the ground of providing financial

assistance to his family.

[3] Heard Ms. Moxa Thakkar, learned Additional Public Prosecutor appearing for the respondent- State through video conferencing. I have also gone

through the jail record of the convict. It appears from the jail record that convict is convicted for the offence punishable under Sections 364, 377 and

302 of the Indian Penal Code and sentenced to undergo life imprisonment. From the jail record, it appears that his conduct in jail is satisfactory.

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

of 3 weeks (three weeks) from the date of his actual release on usual terms and conditions. The convict shall report to the concerned Police Station

between 11.00 a.m. to 2.00 p.m. The convict shall surrender to the Jail Authority on completion of the parole leave, without fail. In case, failure to

surrender before the jail authority after completion of parole, it might be resulting into the cause of rejection of any type of leave, which may include

parole, furlough etc. 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 the concerned jail authority.

[5] Registry is directed to intimate about this order to the concerned authorities through FAX, E-mail and/or any other suitable electronic mode.