

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION NO. 6735 of 2021**

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MOHAMAD FARUK @ FARUK BABA ALLARAKHA SHAIKH
Versus
STATE OF GUJARAT

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Appearance:

MR HEMANT B RAVAL(3491) for the Applicant(s) No. 1
for the Respondent(s) No. 2,3

MS MAITHILI D MEHTA ADDITIONAL PUBLIC PROSECUTOR(2) for the
Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 16/07/2021****ORAL ORDER**

1. Heard learned Advocate Shri Hemant Raval for the applicant and learned APP Ms. Maithili D. Mehta for the respondent-State.

2. Rule. Learned Additional Public Prosecutor Ms. Maithili D. Mehta 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 on the ground of examination of his daughter and for the purpose of house repairing. The applicant has been granted parole leave by the jail authorities vide order dated 01.06.2021 and it is extended till 16.07.2021, on which date the applicant was to surrender.

4. Jail remarks show that the applicant had been convicted for the offences punishable under Section 302 of the Indian Penal Code amongst



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other offence and sentenced to life imprisonment, the applicant having undergone approximately 15 years and 05 months imprisonment as of now. Jail remarks further show that lastly the applicant had been released on furlough leave in the month of May 2021 and on parole leave in the month of June-July 2021. Jail remarks also show that except for few occasion the applicant has more or less surrendered in time whenever he had been released hereinbefore.

5. Having regard to the reasons mentioned in the application and having regard to the submission made by learned Advocate for the applicant, this Court is inclined to allow this application. Parole leave granted by the jail authority is directed to be extended upto **22.07.2021 from 16.07.2021**, on the same terms and conditions as had been imposed by the concerned authority. The applicant shall surrender before the jail authority on 23.07.2021 without fail.

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

After the completion of parole leave, the Jail Authorities 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.

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

(NIKHIL S. KARIEL,J)

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