

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

976 CRIMINAL WRIT PETITION NO. 583 OF 2026

DATTA VISHNU GONGANE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Rupesh Anil Jaiswal, Advocate for the Petitioner
Ms. M. N. Ghanekar, APP for Respondent-State

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**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : 07/05/2026

P. C. :

1. Heard.
2. The petitioner is challenging the rejection of his parole leave sought on the ground that his mother, who is suffering from prolapse uterus, is required to undergo surgery.
3. Learned APP submits that the surgery of the petitioner's mother is not urgently required and therefore, supports the impugned decision.
4. However, upon going through the record, it appears that some doctors have opined that urgent surgery is required, whereas others have opined that the condition is not urgent. In such circumstances, we deem it appropriate to direct that the petitioner's mother be examined by the Civil Surgeon, Parbhani, to ascertain whether such surgery is necessary for her beneficial enjoyment of life.

5. Learned counsel for the petitioner submits that the petitioner's mother shall remain present before the Civil Surgeon, Parbhani on Monday, i.e. 11/05/2026 at 11:00 a.m.

6. We hope that the Civil Surgeon, Parbhani shall get her examined by the concerned Gynecologist and submit a report to this Court by Friday, i.e. 15/05/2026.

7. In the peculiar circumstances of the case, liberty is granted to the petitioner to mention the matter during the vacation.

(ABASAHEB D. SHINDE, J.) (SANDIPKUMAR C. MORE, J.)