

ITEM NO.1

IN COURT NO.4

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No. 81155/2019 IN

R.P.(CrI.) No. 1139-1140/2000 In CrI.A. No. 25-26/2000

NARAYAN CHETANRAM CHAUDHARY & ANR.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(I.A. NO. 81155/2019 - GRANT OF PAROLE)

Date : 16-05-2019 This application was called on
for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE SANJIV KHANNA
(VACATION BENCH)

For Petitioner(s)

Mr. Shadan Farasat, AOR
Ms. Shreya Rastogi, Adv.
Mr. Himanshu Agarwal, Adv.
Ms. Jahnvi Sindhu, Adv.
Ms. Shruti Narayan, Adv.

For Respondent(s)

Mr. Nishant Ramakantrao Katneshwarkar, AOR
Mr. Nishant Sharma, Adv.

Mr. Rajat Joseph, AOR

UPON hearing the counsel the Court made the following
O R D E R

Prima facie there is a report of the Principal District and Sessions Judge, Pune to the effect that on 24.08.1994, the age of the petitioner/applicant Narayan @ Niranaram s/o Chetanram Chaudhary was 12 years and six months. In other words, the petitioner was a juvenile on the date of the offence alleged.

Capital punishment can never be imposed on a juvenile. However, the issue of whether the petitioner was a child on the date of the alleged offence has to be finally decided.

Be that as it may, we are informed that the petitioner's father passed away on 10th May, 2019, and his last rites are to be held on the 12th and the 13th day from the date of his death. The petitioner shall be released on parole for a period of seven days to enable him to attend the last rites of his deceased father on such conditions as the concerned authorities might deem appropriate. The jail/police authorities shall take necessary steps to safeguard the security of the petitioner and to ensure that the petitioner does not abscond/escape by providing police escorts/guards to keep watch on the petitioner.

I.A. No. 81155/2019 is accordingly, disposed of.

List the Review Petition on 02.07.2019 in Court.

A copy of the juvenility report be supplied to learned counsel for respective parties.

[CHARANJEET KAUR]
A.R. -CUM-P.S.

[RAJ RANI NEGI]
ASSTT. REGISTRAR