

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.173 OF 2015

(Chaiti @ Sarita Mukka Pallo vs. The D.I.G. (P)(E), Nagpur and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri M.N. Ali, Advocate for petitioner.

Shri R.S. Nayak, Additional Public Prosecutor for
respondents.

CORAM : B.P. DHARMADHIKARI AND
 P.N. DESHMUKH, JJ.

DATED : JUNE 22, 2015

Furlough has been denied to petitioner on the ground that she is hot tampered and cruel. The impugned order mentions that she has relations with naxal movement and if released, possibility of committing offence and violence cannot be ruled out and, therefore, law and order problem may arise.

Shri Ali, learned Counsel for petitioner, submits that earlier petitioner was released and she reported back on due date. There was never any untoward incident.

Shri Nayak, learned Additional Public Prosecutor for respondents, submits that because of involvement of petitioner in naxalite movement, there is an adverse Police report and furlough has been declined to her in public interest.

After hearing respective Counsel for the parties, we find that earlier when petitioner was released, she had reported back within time and there was no law and order problem. The impugned order dated 17/11/2014 is, therefore, quashed and set aside. The respondents are directed to release the petitioner on furlough within two weeks in accordance with law by imposing appropriate conditions to avoid law and order problem and to secure her return on due date.

JUDGE

JUDGE

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