

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

CRIMINAL WRIT PETITION NO.304 OF 2015

(Mangesh s/o Madheorao Kapate vs. State of Maharashtra and another)

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

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Shri N.H. Samundre, Advocate for petitioner.

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

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

DATED :    JUNE 10, 2015

Heard Shri Samundre, learned Counsel  
for petitioner, and Shri Nayak, learned Additional  
Public Prosecutor for respondents. Perused the  
report dated 7/2/2015 forwarded by Police Deputy  
Commissioner, Nagpur City to respondent no.2 as  
also reply affidavit filed by respondent no.2 before  
this Court.

Considering that petitioner was released  
earlier on furlough leave and he reported back within

time, apprehension of breach of peace or conclusion that surety (Aunt) will not be in a position to control the petitioner is ill founded. The impugned order dated 11/2/2015 passed by respondent no.1 is set aside. The respondents are directed to release the petitioner on furlough leave at the earliest in accordance with law. The criminal writ petition is disposed of accordingly.

JUDGE

JUDGE

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