

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

CRIMINAL WRIT PETITION NO.319 OF 2015

(Santosh Ratanlal Punekar vs. The D.I.G. Prison (E)(R), 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.

Ms. S.B. Saikhede, Advocate (appointed) for
petitioner.

Ms. N. Tripathi, Additional Public Prosecutor for
respondents.

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

DATED : JUNE 10, 2015

Heard Ms. Saikhede, learned Counsel
appointed for petitioner, and Ms. Tripathi, learned
Additional Public Prosecutor for respondents.
Perused report submitted by Superintendent of
Police, Wardha to respondent no.1 on 17/3/2015 as
also reply affidavit filed by respondent no.1.

The reply affidavit shows that though
petitioner was released earlier on furlough leave, he
had reported late voluntarily. In 2001, he reported

himself. In 2003, he reported late by 11 days. In 2005, he was required to be arrested after 26 days. Thereafter in 2014, he had surrendered voluntarily late by 15 days. He is in Open Prison and after his return through Police machinery in 2005, he had been again released in 2014. The report dated 17/3/2015 mentions that his wife is ready and willing to stand as surety.

Though petitioner in his application has stated that he should be released on cash security of Rs.2,000/-, learned Counsel for petitioner submits that as wife of petitioner is ready and willing to stand as surety, her surety can also be accepted by respondents.

The learned Additional Public Prosecutor submits that readiness and willingness of wife of petitioner to stand as surety is required to be verified by the respondents.

We direct the respondents to verify whether wife of petitioner is ready and willing to stand as surety. If she is so ready, in addition to cash security as proposed by petitioner in his application, after obtaining her bond in accordance

with law, the petitioner shall be released on furlough leave. The directions be complied with within six weeks. The criminal writ petition is disposed of accordingly.

The charges for Counsel appointed for the petitioner are fixed at rupees fifteen hundred.

JUDGE

JUDGE

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