

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Writ Petition No. 495 of 2015
[Suraj Shyam Arkhel (in jail) Vs. D.I.G. Prison (E) ®, Nagpur, & another]

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

Court's or Judge's orders

Mr. G.L. Agrawal, Adv. [appointed] for the petitioner.
Mr. Dube, APP for respondents.

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**CORAM : A.B. CHAUDHARI AND
P.N. DESHMUKH, JJ.**

DATE : 05th August, 2015.

Heard. Perused the reply and in particular para 5 thereof, which we entirely reproduce as under:-

"5. The details of parole and furlough leave availed by the petitioner and the date of surrender is shown in the charge below:

Sr. No.	Particulars	Date of release	Date of surrender	Remarks
1.	Furlough leave [two weeks]	12-09-2002	Not surrendered on due date	Surrendered himself late by 23 days, i.e., on 19.10.2002
2.	Furlough leave [two weeks]	24-3-2005	Not surrendered on due date	Surrendered himself late by 3 days i.e., on 10.4.2005
3.	Parole leave 15 days and extended 15 days	21-10-2005	Not surrendered on due date	Surrendered himself late by 3 days i.e., on 23.11.2005

4.	Furlough leave [two weeks] extended 14 days	17-5-2006	Not surrendered on due date	Surrendered himself late by 5 days, i.e., on 19-6-2006.
5.	Parole leave 30 days & extended 60 days.	3.2.2007	Not surrendered on due date	Surrendered himself late by 194 days i.e., on 14.11.2007
6	Furlough leave [two weeks] As per directions by the Hon'ble High Court in Cr. W.P. 424/08 order dated 9.9.2008	15.09.2008	Not surrendered on due date	Surrendered himself late by 109 days i.e., on 16.1.2009
7.	Parole leave 30 days	1.4.2009	Not surrendered on due date	Surrendered himself late by 74 days i.e., on 14.07.2009
8	Parole leave 30 days and extended 60 days	27.11.2009	Not surrendered on due date	Surrendered himself late by 23 days i.e., on 31.3.2010
9	Parole leave 30 days and extended for 30 days	27.05.2010	Not surrendered on due date	Arrested by police authority and brought back to this prison after a period of 53 days i.e., on 18.9.2010
10	Furlough leave [two weeks]	19.5.2011	Not surrendered on due date	Surrendered himself late by 34 days, i.e., on 20.7.2011
11	Furlough leave [two weeks]	15.10.2012	Not surrendered on due date.	Surrendered himself late by 78 days, i.e., on 30.1.2013

In view of above, we make the following order:-

Criminal Writ Petition No. 495 of 2015 is partly allowed.

Petitioner is at liberty to file an appeal against

the impugned order, since this petition is not entertained.

Judge

Judge

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