

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

Criminal Writ Petition No.608 of 2015
(Kishore Vinayakrao Nimburkar .vs. Deputy Inspector General (Prisons)
(East) , Nagpur and another.)

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

Court's or Judge's orders.

Mr. Mir Nagman Ali, Advocate for Petitioner.
Mr. S.M. Ghodeswar, APP for Respondents.

CORAM : B.R. Gavai & Prasanna B. Varale, JJ.
DATED : August 21, 2015.

1. The petitioner has approached this Court being aggrieved by the rejection of his application for grant of furlough.

2. The only ground on which the application is rejected is that when on earlier occasion the petitioner was released on furlough, he has surrendered belatedly.

3. The perusal of the reply filed on behalf of the respondents would reveal that though on certain occasions the petitioner has reported belatedly by two days, he has surrendered himself and was not required to be arrested on single occasion for bringing him back to the prison.

4. The petitioner must have been already penalized for late surrender in accordance with the relevant rules. In that view of the matter, we are inclined to allow the petition.

5. The petitioner is directed to be released on furlough for a period of 15 days after following the procedure prescribed by law.

JUDGE

JUDGE

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