

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

CRIMINAL WRIT PETITION NO.1018 OF 2014

(Sanjay @ Balya Rambhau Mandhare 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. Saware, Advocate (appointed) for petitioner.
Ms. M.H. Deshmukh, Additional Public Prosecutor
for respondents.

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

DATED : JANUARY 27, 2015

The petitioner has filed this petition against the order dated 24/9/2014 passed by respondent no.1 rejecting his application for furlough and prayed for his release on furlough.

The report dated 17/9/2014 submitted by Superintendent of Police, Wardha is adverse to petitioner. It is stated in the said report that proposed surety is resident of Talegaon whereas petitioner is resident of Wardhmaneri and as such, is not

competent to keep control over the petitioner. It also appears that on earlier occasions when petitioner was released on furlough, he surrendered late by 2 days, 1 day, 2 days, 1 day, 20 days, 26 days, 18 days and 28 days and when he was released on parole, he surrendered late by 66 days.

We are of the opinion that petitioner is habitual in surrendering late while on furlough or parole. From the Police report, it is further noted that petitioner is in the habit of raising quarrel and disputes and on previous occasion when he was released during festival of Pola, he quarreled with villagers and created terror. In that view of the matter, we do not find petitioner to be entitled for release on furlough. The petition is devoid of merits and hence, the same is rejected.

The fee payable to the learned Counsel appointed for the petitioner is quantified as rupees fifteen hundred.

JUDGE

JUDGE

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