

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

Criminal Writ Petition No.1075/2014
Vaibhav Khushalrao Tijare Vs. The D.I.G. and other.

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

Court's or Judge's
Orders.

Shri Mi Nagman Ali, Advocate for the petitioner.
Ms. M. Deshmukh, APP for the respondents.

CORAM : A.B.Chaudhari &
P.N.Deshmukh, JJ
DATE : 2nd February, 2015.

Heard the learned counsel for the rival parties.

The petitioner was convicted for the offence of murder on 27.1.2012 by the learned Additional Sessions Judge, Chandrapur. On 17.7.2012 he was released on furlough and hardly even before completion of six months he was released on furlough, but he surrendered late by six days. In the same year, after three months i.e. on 15.10.2012 the petitioner was again released on parole and he surrendered late by 101 days. Thereafter he was again released on parole on 1.3.2014 and again he surrendered late by 100 days. Now, he is again asking for furlough.

The counsel for the petitioner states that the petitioner was in jail for about 24 months after his conviction, when the law permits his release after completion of two years in prison. The manner in which the releases of the prisoners are made on furlough and parole in-spite

of conviction for the offence of murder, pains us. The petitioner surrendered late by six days when he was released on furlough and thereafter by 101 days when he was released on parole. Still he was released on parole on 1.3.2014 and again he surrendered late by 100 days. In view of his short period of confinement in jail as convict of serious offence like murder and his conduct in not surrendering on due dates, we are not inclined to entertain the present petition. We, however, record our anxiety that the Prisons (Bombay Furlough and Parole) Rules, 1959 as can be found, are being fully mis-utilised, resulting into fear in the mind of the society and no deterrent for the convicts.

The petition is rejected.

JUDGE

JUDGE

Ambulkar