

IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL WRIT PETITION NO. 95/2016

Caitan Fernandes, Convict prisoner no.203/15
age around 50 years,
Presently undergoing punishment
in Modern Central Jail Covale, Goa.

Petitioner

Versus

1.The Office of The Superintendent,
Government of Goa
Central Jail Colvale, Colvale Bardez, Goa.

2. PP High Court

Respondents.

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Shri T. George John, Advocate for the petitioner.
Shri Pravin Faldessai, Additional Public Prosecutor for the
respondents.

CORAM : F.M.REIS & NUTAN.D.SARDESSAI, JJ
DATED : 01/08/2016.

ORAL JUDGMENT: (Per Nutan D. Sardessai, J)

1] Heard Shri T. George John, learned Advocate for the
petitioner and Shri Pravin Faldessai, learned Additional Public
Prosecutor for the respondents.

2] Rule.

3] Heard forthwith with the consent of the learned
counsel appearing for the parties. Mr. Faldessai, learned
Additional Public Prosecutor waives notice on behalf of the
respondents.

4] Shri John, learned counsel contended that the

petitioner parole application dated 15.3.2016 was rejected on the ground of police report only. He had availed one time furlough with no stigma. His conduct had been good and his behaviour during his incarceration was exemplary and therefore, he had to be given benefit of parole /furlough and therefore, sought for a writ in the nature of mandamus for the release for 14 days and also a writ of certiorari or a writ in the nature thereof calling for the records and re-examining the issue of reduction of the surety bond.

4] We have considered the contentions of Shri John, learned counsel for the petitioner and Shri P. Faldessai, learned counsel for the respondents. We find that this is a fit case for remand granting opportunity for the appellant to apply afresh.

5] The petition stands disposed off accordingly.

NUTAN D.SARDESSAI, J

F.M. REIS, J

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