

**IN THE HIGH COURT OF BOMBAY AT GOA.**

**CRIMINAL WRIT PETITION NO. 116/2016**

Rajendra Singh Convict Prisoner no.11/07  
Presently undergoing punishment  
in Modern Central Jail Covale, Goa.

**Petitioner**

Versus

1. The Inspector General of Prisons,  
Government of Goa  
Office of Inspector General of Prisons,  
Collectorate-North Goa,  
Panaji, Goa.
2. Superintendent of Jail, Colvale, Bardez, Goa.
3. P.I.Crime Branch, Ribander Goa.
4. PP High Court

**Respondents.**

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Shri T. George John, Advocate for the petitioner.  
Shri M. Amonkar, Additional Public Prosecutor for the  
respondents.

**CORAM : F.M.REIS & NUTAN.D.SARDESSAI, JJ**  
**DATED : 18/08/2016.**

**ORDER :**

1] Shri T. George, learned Advocate came to be heard on behalf of the petitioner who contended that the order passed by the Inspector General of Prisons i.e. the respondent no.1 had to be modified inasmuch as the petitioner was entitled to the grant

of his furlough application which was kept in abeyance by virtue of the order of the respondent no.1. His behaviour was good and exemplary and there were no adverse complaint against him and therefore, it was a fit case to modify the order of the respondent no.1 and issue a direction to the respondent no.1 to release him forthwith on furlough.

2] Shri M. Amonkar, learned Additional Public Prosecutor came to be heard on behalf of the State who submitted that the impugned order dated 29.7.2016 passed by the respondent no.1 was precipitated on account of ongoing investigation into the death of an accused Ashpak Bengre and which has necessitated not releasing the convict on parole or furlough for a period of one month.

3] We have heard Shri G. John, the learned Advocate for the petitioner and Shri M. Amonkar, learned Additional Public Prosecutor for the respondents and are seized of the fact that the investigation of the murder of the accused Ashpak Bengre is still in process. The involvement or otherwise of the petitioner would be borne out in the course of such investigation in that crime and therefore, it would be full hardy to give effect to the order of furlough originally ordered in favour of the petitioner, his alleged good behaviour and want of complaints notwithstanding. Such

being the position, we do not find any reason to interfere with the order and dismiss the petition. Liberty is, however, granted to the petitioner to apply afresh.

4]           The petition is disposed off accordingly.

**NUTAN D.SARDESSAI, J**

**F.M. REIS, J**

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