

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO. 17/2016

(Kashinath Shrawan Sahare vs. The DIG Prisons (E) (R) Nagpur and another)

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

Court's or Judge's order

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Ms. A.D. Ramteke, Adv. (appointed) for petitioner
Mrs. Bharati Dangre, PP. for respondents

**CORAM : B.R.GAVAI &
Mrs. SWAPNA JOSHI, JJ.
DATED : 4th April, 2016.**

Heard.

Noticing that on account of delay on the part of the police authorities in sending the police verification report, the petitioner was deprived of his right of furlough/parole leave, we directed the Superintendent of Police, Gadchiroli to remain present in the Court and explain as to why the police verification report was not sent to the prison authority for a period of four years, though various reminders were sent to the concerned authority.

Accordingly, Shri Sandip Bhimrao Patil, Superintendent of Police, Gadchiroli is personally present in the Court. He has also filed an affidavit dated 3/04/2016. In the affidavit, it is admitted that there were certain lapses on the part of the PSO Armori. He further stated that after he joined at Gadchiroli and when he received a letter from Superintendent of Morshi Open Prison dated 10.1.2015 he immediately sought the police verification report from PSO Armori. He further stated that the

verification report received from Police Station, Armori was transmitted to the jail authorities vide communication dated 11.2.2015. It is further stated that the petitioner has also been granted furlough leave for fourteen days vide an order dated 31st March 2016.

In the affidavit, the S.P. Gadchiroli has further submitted that due to inaction on the part of the PSO Armori, prompt action could not have been taken. He has assured in the affidavit that he will take disciplinary action against the erring persons/officials.

In that view of the matter, we accept the explanation given and discharge the presence of Superintendent of Police, Gadchiroli.

Since the purpose of filing the petition is served, the Criminal Writ Petition disposed of.

The professional fees of Ms.A.D.Ramteke, Advocate (appointed) are quantified at Rs.1500/- (rupees fifteen hundred).

JUDGE

JUDGE

sahare