

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

CRIMINAL WRIT PETITION NO.253/2016

Sahebrao Mohan Tongare (In Jail) ..vs.. The D.I.G. Prison (E) (R), Nagpur ors.

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

Court's or Judge's orders

Mr. N. M. Mankar, Advocate appointed for petitioner.
Mrs. Geeta Tiwari, A.P.P. for respondent-State.

CORAM : B. R. GAVAI & V. M. DESHPANDE, JJ.

DATE : JULY 26, 2016

The petitioner's application for grant of furlough has been rejected in view of specific bar under Clause (13) of Rule 4 of the Prison (Bombay Furlough and Parole) Rules, 1959. Perusal of clause (13) would reveal that furlough shall not be granted to the prisoners convicted for offence such as dacoity, terrorist, crimes, kidnapping, smuggling, etc.

In view of the specific provision, no error could be found with the impugned order since the petitioner has been convicted for the offence punishable under Section 364 of the Indian Penal Code along with other offences, which pertains to kidnapping.

The writ petition is, therefore, dismissed. Professional charges of Mr. Mankar, the learned appointed counsel are quantified at Rs.1500/-.

JUDGE

JUDGE

CERTIFICATE

I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.

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