

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

CRIMINAL WRIT PETITION No. 684/2016

Amin Khan Amanulla Khan (In Jail)

-VERSUS-

The D.I. G. of prisons (E)(R) Nagpur and others.

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

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.

DATE : NOVEMBER 22, 2016.

Heard Shri D.S. Lambat, learned counsel
for the petitioner and Ms. Tripathi, learned A.P.P. for
respondents. Perused impugned order as also reply.

2. Facts show that petitioner has been
released on furlough on 8 occasions between July
2003 to September, 2014. Similarly, he is released on
7 occasions on parole. He has reported late by 268
days in 2005; by 34 days in 2004 and by 32 days in
2010. He was released on furlough in 2014 when he
reported late by 14 days. His last release on parole
was in February, 2015. He reported voluntarily on
13.05.2015, but, late by 58 days. Imposition of prison

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punishment for late reporting from parole leave on two occasions is still under consideration.

3. Because of this late reporting furlough leave has been declined.

4. Fact show that for late reporting by 268 days, punishment of remission cut of 428 days was inflicted in 2007. Similarly, in 2014 remission cut of 70 days has been inflicted.

5. Police report on application for releasing on furlough is not adverse.

6. In this situation, taking over all view of the matter, we direct the respondents to release the petitioner on furlough leave, after obtaining appropriate bond from him as also from his surety. The bond shall require him to report at local police station once in every three days, during the period of furlough leave. It shall also carry a condition that he if does not report back in time, he shall not claim any furlough or parole leave in future.

7. Writ petition is disposed of with above directions. No costs.

JUDGE

JUDGE

Rgd.