

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 17 OF 2017

DEVANAND M. THAKUR, PRESENTLY AT
CENTRAL JAIL COLVALE.,

... Petitioner

Versus

STATE OF GOA, THR. THE I.G. PRISON
AND ANR.,

... Respondents

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

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 17th January, 2017

P.C.:

The petitioner had challenged the order dated 6.12.2016 pursuant to which the Inspector General of Prisons had rejected the application filed by the petitioner to be released on furlough for a period of 28 days. The reason for rejection of the application is an adverse report filed by the police. The only ground for the adverse report is an apprehension that in case the petitioner is released on furlough, there is every possibility of breach of peace in the locality and he may create problem for the witnesses.

2. Shri T. George John, the learned Counsel for the petitioner submits that the petitioner had been previously released on furlough and had duly reported back to the Inspector General of

Prisons, on expiry of the period of furlough. Therefore, apparently there is no substance in the bald apprehension stated in the report of the police. Hence, the petition is allowed in terms of the prayer clause (a). The petitioner be released on furlough for a period of 28 days on the execution of a Personal Bond in the sum of Rs.10,000/- (Rupees ten thousand only) with one surety in the like amount and on usual conditions.

3. Petition is accordingly disposed off.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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