

IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL WRIT PETITION NO.62 OF 2017

Rajendra Singh Prisoner No.11/07,
presently serving sentence
at Central Jail Colvale, Goa.

... Petitioner

Versus

1. State of Goa,
Through The IG Prison,
Old Director of Education Building,
Panaji, Goa.

2. PP High Court, Panaji, Goa. ... Respondents

Shri T. George John, Advocate for the petitioner.

Shri S. R. Rivankar, Public Prosecutor for the respondents.

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

DATE : 5th April, 2017.

ORAL JUDGMENT : (Per **NUTAN D. SARDESSAI, J.**)

Rule. Rule made returnable forthwith. The learned Public Prosecutor waives service on behalf of the respondents. Heard finally by consent of the parties.

2. By this petition, the petitioner is challenging the order dated 20/03/2017 passed by the Inspector General of Prisons, Panaji, Goa pursuant to which he had ordered the execution of a Personal Bond in Form II for ₹25,000/- and produce one surety in the like amount giving cash or otherwise, while entertaining the furlough application of the petitioner. It was the case of the petitioner that he had

availed parole on seven occasions and furlough on five occasions during the period of 13 years and 3 months. His conduct was good and his behaviour was exemplary. There was no basis for the respondent no.1 to fix a high surety and therefore the impugned order dated 20/03/2017 which was arbitrary and displaying non-application of mind was liable to be quashed and set aside and a reasonable amount of ₹10,000/- had to be fixed as the surety amount.

3. Shri T. George John, learned Advocate for the petitioner reiterated his contention as per the case carved out in the application while Shri S. R. Rivonkar, learned Public Prosecutor for the respondents vehemently resisted his request for reduction in the bond amount and otherwise being reasonable.

4. We have considered the contentions and in the circumstances hold that the imposition of the condition of execution of Personal Bond in the amount of ₹25,000/- with one surety in the like amount is not at all excessive much less unreasonable or arbitrary. We, therefore, do not find any merit in the petition which is hereby dismissed.

NUTAN D. SARDESSAI,J.
mv

F. M. REIS,J.