

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 135 OF 2017

ABDUL RAJAK CHAPARBAN, PRESENTLY
LODGED AT MODERN JAIL, COLVALE., ... Petitioner

Versus

STATE OF GOA, THR. THE CHIEF
SECRETARY OF HOME DEPT. AND 2
ORS., ... Respondents

Mr. Anoop Atchut Gaoker, Advocate under Legal Aid Scheme
for the petitioner.

Mr. M. Amonkar, Additional Public Prosecutor for the
respondents.

Coram:- C. V. BHADANG &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 4th August, 2017

P.C.

Heard the learned Counsel for the petitioner and Shri
Amonkar, the learned Additional Public Prosecutor for the
respondents.

2. The application for furlough filed by the petitioner has been
rejected on the ground that there is no family member of the
petitioner to give shelter and take care of the petitioner, during
the period of furlough. Now the petitioner has filed an affidavit
of Mr. Dastangeer Saab Chaparband, who is the father of the
petitioner, stating that he is ready to furnish surety bond and give
undertaking that he will take care of the petitioner during the

period of furlough.

3. In view of the said affidavit, the learned Additional Public Prosecutor has no objection for the application being reconsidered by the Competent Authority.

4. In such circumstances, the petition is partly allowed. The impugned order is hereby set aside. The second respondent shall reconsider the application filed by the petitioner in the context of the willingness shown by his father to furnish the surety bond and to take care of the petitioner during the period of furlough. The second respondent shall decide the application as expeditiously as possible and preferably, within a period of two weeks from the receipt of this order.

PRITHVIRAJ K. CHAVAN, J.
SMA

C. V. BHADANG, J.