

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL WRIT PETITION NO. 66 OF 2017**

(Sanjay Madhukar Waghade (Prisoner No. C-9351) vs. State of Maharashtra thr. DIG Prison, ER,
Nagpur & Ors.)

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 &
V.M. DESHPANDE, JJ.
MARCH 29, 2017.**

Heard Shri A.K. Bhangde, learned counsel for the petitioner and Mrs. N.R. Tripathi, learned APP for the respondents.

2. Perused the reply. The only reason for denying furlough leave is apprehended breach of peace and the protest of mother of the deceased.

3. It is an admitted position that the petitioner has not been released on any leave before this. Thus, the protest of mother of the deceased as also the apprehension, prima facie, are without any basis. However, Shri Bhangde, learned counsel fairly states that the petitioner intends to live with his family in Tahsil – Lakhni, District – Bhandara. The lady who has lodged protest is residing in Nagpur city.

4. In this situation, we direct the respondents to release the petitioner on furlough leave after obtaining an undertaking and necessary bonds and after imposing appropriate conditions to secure his presence, he shall be released on furlough leave within two weeks.

5. Criminal Writ Petition is accordingly allowed and disposed of.

JUDGE

JUDGE