

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL WRIT PETITION (CWP) NO. 73 OF 2017****(Pradeep Raibhanji Gaikwad (in Jail) vs. DIG (Prison), Eastern Region, Nagpur & Anr.)**

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 Mrs. S.S. Dhote, learned counsel (appointed) for the applicant and Mrs. N.R. Tripathi, learned APP for the non-applicants.

2. Perused the impugned order and reply. In 2014, when the petitioner was released for enjoying furlough leave, he did not report back on due date, was required to be arrested and brought back. Thus, he came back belatedly and delay was of 24 days. An offence under Section 224 of Indian Penal Code was registered for this purpose.

3. Mrs. Dhote, learned counsel submits that the petitioner was tried and has also been punished for it.

4. In this situation, we find denial of furlough leave in present facts improper. The respondents can always obtain necessary bonds and undertaking from the petitioner as also from his sureties.

5. Accordingly, subject to it the petitioner shall be released on furlough leave within a period of two weeks from today. Writ Petition is accordingly disposed of.

6. The charges of counsel appointed for the petitioner are fixed at Rs.1,500/-.

JUDGE

JUDGE