

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 138/2017.

Raju Dhannu Kosekar

-VERSUS-

The D.I.G. Prison, Central Prison, Nagpur and another.

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.

DATE : APRIL 17, 2017.

Order dated 12.01.2017 rejecting furlough is questioned. We have heard Ms. S.B. Khobragade, learned Counsel for the petitioner and Ms. N.R. Tripathi, learned A.P.P. for respondents. Perused papers.

2. Rejection is because of late surrender and arrest once made. Papers show that arrest was in the year 2007, when he did not report for about 443 days. Thereafter he has been released on 19.01.2011 when he has reported back himself belatedly, and was late

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only by one day. Then in 2011, he reported late by 7 days; in 2012 late by 19 days and in 2013 late by 9 days. Thus, 2007 arrest has become irrelevant in view of these subsequent release and surrender.

3. Accordingly, we quash and set aside the order dated 12.01.2017. We direct respondents to release the petitioner on furlough leave after obtaining necessary bonds and undertakings from petitioner and his surety, in accordance with law, within next three weeks. Writ Petition is partly allowed and disposed of. No costs.

JUDGE

JUDGE

Rgd.