

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

CRIMINAL WRIT PETITION (CWP) NO. 190 OF 2017

(Indrajit s/o Pachuram Balotiya vs. Deputy Inspector General of Prison, Central Prison, 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.
APRIL 12, 2017.**

Heard Ms. S.B. Khobragade, learned counsel for the applicant and Mrs. N.R. Tripathi, learned APP for the respondents.

2. The furlough leave has been declined on the ground that an offence was registered against him in another case, when he was released on last occasion on 25.10.2012. He was also required to be brought back after arresting him and he was late by 274 days.

3. Ms. Khobragade, learned counsel, however points out that the petitioner has been acquitted from the offence allegedly committed in 2012 under Sections 307, 387 read with Section 34 of the Indian Penal Code.

4. We are not recording any finding on this argument at this stage. We find that for said late reporting, no prison punishment as yet has been inflicted upon the petitioner. If such steps are initiated, the petitioner will get necessary opportunity and defence put up by him can thereafter be looked into by the Competent authority at that juncture.

5. In this situation, we direct the concerned authority to initiate necessary steps and complete it within next four months.

6. With liberty to the petitioner to approach again, if any cause of action arises, we dispose of the present writ petition. No order as to costs.

JUDGE

JUDGE

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