

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
CRIMINAL WRIT PETITION NO. 200 OF 2017

(Ramesh s/o Madhav Pohankar vs. State of Maharashtra thr. DIG (Prison) (E), 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 21, 2017.**

Heard Shri A.Y. Sharma, learned counsel for the petitioner and Shri S.D. Shirpurkar, learned APP for the respondents.

2. Perused the reply. It appears that because of late surrender, furlough has been declined.

3. A perusal of chart filed by respondent No. 2 on an affidavit reveals that on 13.01.2011, 22.11.2011 and 08.06.2013 when he was released, he has reported late but surrendered voluntarily. His surrender in 2013 was after 120 days. However, thereafter he was given furlough leave of two weeks on 01.04.2016. It appears that it was extended and he has reported back on due date.

4. In this situation, his earlier late reporting becomes irrelevant. We, therefore, quash and set aside the impugned order dated 6/8th February 2017.

5. After obtaining necessary bonds and surety from the petitioner and his sureties, the petitioner shall be released on furlough leave within next three weeks.

6. Criminal Writ Petition is thus partly allowed and disposed of. No order as to costs.

JUDGE

JUDGE