

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 373/2017
 (RAMBHAROSE @ RANGA PANNALAL MALVIYA (IN JAIL) **VERSUS** THE D.I.G. PRISONS &
 ANOTHER)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri Tarun Parmar, Appointed Counsel for the petitioner.
 Shri A.M. Joshi, A.P.P. for the respondent/State.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 11, 2017.

By this writ petition, the petitioner challenges the order rejecting his furlough leave.

On hearing the learned counsel for the parties and on a perusal of the affidavit-in-reply filed on behalf of the respondents, it appears that there is no scope for interference with the impugned order as on three out of the four occasions on which the petitioner was released on furlough and parole leave, the petitioner had not surrendered on the due date and on the last occasion, the petitioner was required to be arrested by the police authorities and brought back to the prison after a period of 1055 days from the date of the expiry of his furlough leave. In the circumstances of the case, it cannot be said that the respondent no.1 was not justified in rejecting the application of the petitioner.

In the result, the writ petition is dismissed. However, since the counsel for the petitioner is appointed through the Legal Aid Sub Committee, Nagpur, we quantify

his professional fees at Rs.1,500/- which may be paid to the counsel, at the earliest.

JUDGE

JUDGE

APTE