

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

CRIMINAL WRIT PETITION NO. 508/2017
(MAHENDRA PURUSHOTTAM LONDHE (IN JAIL) **VERSUS** THE STATE OF MAHARASHTRA &
ANOTHER)

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

Court's or Judge's orders

Shri Robin Somkuwar, Counsel for the petitioner.
Mrs N.R. Tripathi, Additional Public Prosecutor for the respondents.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.
DATE : AUGUST 09, 2017.

By this writ petition, the petitioner challenges the order of the D.I.G. (Prisons), Nagpur dated 12.03.2017 rejecting the application of the petitioner for grant of furlough leave.

It appears on hearing the learned counsel for the parties and on a perusal of the affidavit-in-reply filed on behalf of the respondent no.2 that the impugned order is passed by the D.I.G. (Prisons), Nagpur in accordance with the provisions of Rules 4(6) and (10) of the Prisons (Bombay Furlough and Parole) Rules, 1959. It appears that when the petitioner was earlier released on furlough leave, he had belatedly surrendered after 315 days and 306 days. Since Rule 4(10) provides that the application for furlough could be rejected if the convict surrenders belatedly when he is released on parole or furlough leave on earlier occasions, we do not find any fault with the order of the D.I.G.(Prisons), Nagpur.

In the result, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

APTE