

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

CRIMINAL WRIT PETITION NO. 626/2017

(DASHRATH DAULAT CHOUKE (IN JAIL) VERSUS THE DIG OF PRISON (EAST REGION), NAGPUR &
 ANOTHER)

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

Court's or Judge's orders

None for the petitioner.
 Mrs.N.R. Tripathi, A.P.P. for the respondents.

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

DATE : SEPTEMBER 22, 2017.

By this criminal writ petition, the petitioner challenges the order of the D.I.G. Prisons, dated 05.04.2017 rejecting the application of the petitioner for grant of furlough leave.

We do not find any illegality in the order of the D.I.G. Prisons, Nagpur in rejecting the application of the petitioner. The application of the petitioner is rejected by placing reliance on Rule 4(13) of the Prisons (Bombay Parole and Furlough Leave) Rules, 1959 that provides that furlough leave should not be granted to the prisoner who is convicted for the offence of rape. Since the petitioner is convicted for the offence of rape and since Rule 4(13) provides that furlough leave should not be granted to such prisoners, the writ petition is liable to be dismissed.

Hence, we dismiss the same. Order accordingly.

JUDGE

JUDGE