

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

**CRIMINAL WRIT PETITION NO. 892/2017**

(VIJAY SURESH BAWANE (IN JAIL) **VERSUS** THE SUPERINTENDENT, CENTRAL PRISON, NAGPUR &  
 ANOTHER)

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

Court's or Judge's orders

-----  
 Shri D.S. Lambat, Appointed Counsel for the petitioner.  
 Shri K.R. Lule, A.P.P. for the respondents.

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

**DATE : SEPTEMBER 28, 2017.**

By this criminal writ petition, the petitioner challenges the order of the D.I.G. Prisons, Nagpur, dated 15.07.2017, rejecting the application of the petitioner for furlough leave.

Ms Khobragade, the learned counsel for the petitioner, states that the furlough leave application of the petitioner is rejected only on the ground that when on the earlier occasion, he was released on parole leave, he was required to be brought to the prison, ten days after the due date. It is submitted that a chance may be given to the petitioner to mend his ways. It is stated that if this Court directs the respondents to release the petitioner on furlough leave, the petitioner would surrender on the due date.

We accept the statement made on behalf of the petitioner that one more opportunity needs to be given to the petitioner to mend his ways as he has undertaken to return to prison on the due date.

Hence, by quashing and setting aside the impugned order, we direct the respondents to release the petitioner on furlough leave within seven days from the date on which all the formalities are complied with.

The writ petition is disposed of in the aforesaid terms.

The professional fees of the learned counsel for the petitioner are quantified at Rs.1,500/-.

Order accordingly.

**JUDGE**

**JUDGE**

APTE