

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.908 of 2016

(Dinesh Govindrao Deshbhratar

vs.

The D.I.G. Prison (E), Nagpur and another)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri R.G. Bagul, Advocate (appointed) for the Petitioner.
Shri S.J. Kadu, A.P.P. for the Respondents.

**CORAM : B.R. GAVAI AND
KUM. INDIRA JAIN, JJ.**

DATE : 8th FEBRUARY, 2017.

Heard the learned Counsel for the
petitioner and the learned A.P.P. for respondents.

By way of present criminal writ petition,
the petitioner has prayed for issuance of directions
to respondent no.1 to release him on furlough for
28 days.

The application of petitioner for grant of
furlough leave was rejected by the competent
authority on the ground of adverse police report
that when he was released on furlough on an
earlier occasion, he did not surrender himself and,
therefore, he was required to be arrested and
brought back to prison by the police.

A perusal of affidavit-in-reply filed by the learned A.P.P. would reveal that after the petitioner was released on furlough on an earlier occasion, he did not return to the jail and was, therefore, required to be arrested and brought back to prison. The petitioner had not submitted any documents before the Authority justifying his action of not returning to the prison after period of furlough was over.

In view of above, no case is made out for interference. The criminal writ petition is accordingly dismissed.

The fees payable to the learned Counsel appointed for the petitioner are quantified at Rs.1,500/- (Rupees One Thousand Five Hundred Only).

JUDGE

JUDGE

**sdw*