

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

Criminal Writ Petition No.326 of 2018

[Dinesh Govindrao Deshbratar (In Jail) v. The State of Maharashtra,
through D.I.G. of Prison (E) (R), Nagpur, and another]

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

Ms S.D. Wankhede, Advocate for Petitioner.

Ms N.R. Tripathi, Additional Public Prosecutor for Respondents.

Coram : R.K. Deshpande & Arun D. Upadhye, JJ.

Dated : 26th June, 2018

The petitioner is the prisoner for the offence punishable under Section 302 of the Indian Penal Code and undergoing the sentence of life imprisonment. He has completed 15 years, 1 month and 19 days' sentence when the application for grant of furlough leave was filed and it was rejected. The reply of the respondent No.2 is that lastly the petitioner was released on furlough leave by an order dated 26-10-2000, but he was required to be brought back to the Prison after a period of 11 years, 1 month and 28 days, on 6-1-2012. The police report expresses an apprehension that if the petitioner is released on furlough leave, then there is a possibility of his absconding and, therefore, the furlough leave was not recommended.

Keeping in view the provision of Rule 4(10) of the Bombay (Furlough and Parole) Rules, 2016, we do not find that any case is made out for grant of furlough leave to the petitioner.

The criminal writ petition is dismissed.

(Arun D. Upadhye, J.)

(R.K. Deshpande, J.)