

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

CRIMINAL WRIT PETITION NO. 1226 OF 2017
(Sahebrao Mohan Torge (Togre) vs. Deputy Inspector General of Prison & Anr)

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

Court's or Judge's Orders

Ms. Sonali Khobragade, Advocate for the Petitioner.
Mr. S.M. Ghodeswar, APP for the Respondent/State.

CORAM : B. R. GAVAI &
 M. G. GIRATKAR, JJ.

DATE : 8.3.2018

1] Application of the Petitioner for grant of furlough leave is basically rejected in view of Rule 4(11) of the Furlough Rules.

2] In a similar situation, this Court in Criminal Writ Petition No.82 of 2017 found that, the Petitioner who had undergone sentence for the offence punishable under Section 376 of the Indian Penal Code, was entitled to grant of furlough leave after the period of sentence for the offence punishable under Section 376 of the I.P.C. was complete.

3] In the present case also, application is basically rejected on the ground that, the applicant is convicted for the offence punishable under Section 364 of the I.P.C. The sentence

imposed for the said offence is for three years. The Petitioner/Applicant has already undergone the sentence for a period of eight years.

4] In that view of the matter, Petition is allowed. Petitioner is directed to be released on furlough leave for a period of 28 days after complying with the procedure prescribed by law.

JUDGE

JUDGE

**BDP-SPS*