

IN THE HIGH COURT OF BOMBAY AT GOA***CRIMINAL WRIT PETITION NO. 132 OF 2019***

Mrs. Lalsa Pal

... Petitioner

Versus

The State of Goa and 2 Ors.

... Respondents

Ms. Veena Ghode, Advocate for the Petitioner.

Mr. Pravin N. Faldessai, Additional Public Prosecutor for the Respondent Nos.1 to 3.

***Coram : S.C. Gupte, &
Prithviraj K. Chavan, JJ.******Date : 18th June, 2019.******P.C. :***

This Writ Petition seeks a Writ of Mandamus for grant of furlough for a period of 28 days. The application of the prisoner for furlough was rejected by the Inspector General of Prisons, Panaji, Goa, on the ground that the request of the prisoner, who had committed a grave crime like murder, could not be granted, unless a relative was forthcoming for receiving her while on furlough, and to enter into surety bond.

2. The Petitioner has filed alongwith her petition, an affidavit of one Jayesh Kumar, brother-in-law of the Petitioner, offering to receive her during her release on parole/furlough, and to

take adequate care during her release, and ensure her surrender in time to the prison authorities. This affidavit was not before the prison authorities when the impugned order was passed. Now that there is an affidavit of the relative, as noted above, learned Additional Public Prosecutor appearing on behalf of the Respondents, offers to consider the Petitioner's application for furlough afresh, and in the light of the affidavit of the relative referred to above.

3. The petition is, accordingly, disposed of by quashing and setting aside the impugned orders of the Inspector General of Prisons, and directing the Inspector General to consider the Petitioner's application for furlough afresh, and in the light of the affidavit of Jayesh Kumar, S/o. Viswa Vijay Kumar, being Annexure-C to the petition. The application shall be disposed of expeditiously.

Prithviraj K. Chavan, J.

S.C. Gupte, J.

Dv*