

IN THE HIGH COURT OF BOMBAY AT GOA***CRIMINAL WRIT PETITION NO. 133 OF 2019***

Mr. Basuraj Harijan @ Kattamani

... 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 Petitioner's application for furlough was rejected by an order passed by the Inspector General of Prisons on 17.05.2019. It is pointed out by the learned Additional Public Prosecutor that the Petitioner had last surrendered from furlough on 23.11.2018, after availing 21 days furlough, and thus, the statutory period before the next furlough was not complete. It is submitted that the statutory period gets over only on 23.05.2019. (The impugned order was passed on 17.05.2019, by which time the statutory period had not expired.)

2. Learned Additional Public Prosecutor submits that, now that the statutory period has been duly completed, the Petitioner's application will be considered by the prison authorities afresh, and on the basis of a fresh police report. It is ordered accordingly, and the petition is disposed of.

Prithviraj K. Chavan, J.

S.C. Gupte, J.

Dv*