

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

CRIMINAL WRIT PETITION NO. 373/2020

Shri. Radheshyam Meghnath Kodape,
Convict No.C/10186,
Aged about 46 years, Occu. - Nil,
Confined at Central Prison, Nagpur.

.... **PETITIONER**

// VERSUS //

- 1) State of Maharashtra,
Through Deputy Inspector
General of Prison,
Eastern Region, Nagpur.
- 2) The Superintendent,
Central Prison, Nagpur.

.... **RESPONDENTS**

Ms S. D. Wankhade, counsel for the petitioner.
Shri A. V. Palshikar, Addl. P. P. for the respondents.

**CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**

DATED : 07th October, 2020

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

1. Heard. **Rule.** Rule made returnable forthwith.
2. Heard finally by consent of the learned counsels appearing
for the parties.

3. The impugned order shows that the petitioner is not eligible for his release on furlough for the reason that for being eligible for furlough, it is necessary for a prisoner to have completed three years of actual imprisonment in terms of Rule 3(C) of Bombay Furlough and Parole Rules, 1959.

4. In the present case, without any dispute, till the date of filing of the application by the petitioner, the petitioner had actually undergone imprisonment of two years, one month and two days. This being the position, the petitioner could not be said as eligible for his release on furlough for the present. As such no fault could be found in the impugned order.

5. The petition stands dismissed. Rule is discharged.

(AVINASH G. GHAROTE, J.)

(SUNIL B. SHUKRE J.)