

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

CRIMINAL WRIT PETITION NO.605/2020

Shamal Shankar Dutt,
Convict, Age 40 years,
Presently at Central Prison,
Nagpur.

.... **PETITIONER**

// **VERSUS** //

1) Deputy Inspector General (Prisons)
(East) Nagpur.

2) The Superintendent Central Prison,
Nagpur.

.... **RESPONDENTS**

Shri M. N. Ali, Advocate for petitioner.
Shri A. A. Madiwale, APP for the respondents.

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

DATED : 27/11/2020

ORAL JUDGMENT : (Per : SUNIL B. SHUKRE, J.)

1. Heard. **Rule.** Rule made returnable forthwith.

2. Heard finally by consent of the learned counsel appearing for the parties.

3. A limited prayer has been made in this petition and, therefore, this petition can be disposed of by issuing suitable directions.

4. Of course, learned APP submits that the respondents are facing some difficulties in deciding the application, as the report from West Bengal Police is yet to be received by them and therefore, if any time bound directions are given, that would be binding on the respondents. We can understand the anxiety of the respondents, but, we are also of the view that same can be addressed by this Court by issuing necessary directions in the matter.

5. Accordingly, we direct the respondent no.1 to decide the application filed by the petitioner for grant of furlough leave in accordance with law within a period of three weeks from the date of order. We request Director General of Police, State of West Bengal, to issue necessary directions to the concerned police officials for sending the requested report in response to the communication dated 05.10.2020 by respondent no.2 the Superintendent of Police Gholathama, District Pargana (West Bengal) and communication dated 09.11.2020 sent to The Commissioner of Police, Barrackpur, District North 24 Paragana (West Bangal).

6. Copy of the order be sent to the respondent no.1 and Director General of Police State of West Bengal for information and necessary compliance.

Writ Petition is disposed of accordingly. No costs.

(AVINASH G. GHAROTE, J)

(SUNIL B. SHUKRE J.)