

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

CRIMINAL WRIT PETITION NO. 113 OF 2021

Arvind Sangitrao Deshmukh (In jail),
..VS..

Deputy Inspector General Prison, East, Nagpur and Anr.,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. D. Chande, Advocate for the petitioner.
Shri N. R. Patil, A.P.P. for the respondents.

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

DATED : 01.03.2021

Heard Shri S. D. Chande, learned counsel for the petitioner and Shri N. R. Patil, learned A.P.P. for the respondents.

2. On instructions, learned counsel for the petitioner, submits that the petitioner desires to resort to the remedy of appeal as provided under Rule 2(3) of the Prisons (Bombay Parole and Furlough) Rules, 1959 and, therefore, he seeks leave of this Court to withdraw the petition with necessary directions in the matter.

3. Leave to withdraw the petition with liberty to file an appeal is granted.

4. It is directed that the appeal may be filed within one week from the date of the order and if it is so filed, it

is further directed same shall be decided in accordance with law by Appellate Authority within two weeks from the date of filing of the appeal.

5. We further direct that the Appellate Authority shall duly consider the health problems of the petitioner and also the fact that it is the contention of the petitioner that there is nothing available on record which would show that the women surety proposed by the petitioner is not capable of keeping her promise in the matter.

The Writ Petition stands disposed of accordingly.

JUDGE

JUDGE

Kirtak