

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

CRIMINAL WRIT PETITION NO. 111 OF 2021

(Sheikh Saddam Sheikh Mehboob, Amravati Vs. Deputy Inspector General (Prisons) (East)
Nagpur & Anr.)

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

Court's or Judge's orders.

Shri D.R. Upadhyay, Advocate (appointed) for the
petitioner.

Mrs. K.S. Joshi, Incharge Public Prosecutor for the
respondents.

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CORAM : DIPANKAR DATTA, C.J. &
PUSHPA V. GANEDIWALA, J.
FEBRUARY 01, 2021.

PC :-

The petitioner's prayer for grant of
furlough has been rejected by the order dated July
25, 2020 of the Deputy Inspector General of Prisons,
East, Nagpur, on the ground that he could not
provide a suitable surety.

2. We have perused the impugned order
and heard learned Advocates appearing for the
parties.

3. Rule 6 of the PRISONS (Bombay
Furlough and Parole) Rules, 1959 does require a
suitable surety to be provided by the applicant
seeking furlough. There being no legal infirmity in

the impugned order, question of interference does not arise.

4. However, since it is admitted at the bar by the learned Incharge Public Prosecutor that the petitioner is otherwise eligible for release, the Deputy Inspector General of Prisons, East, Nagpur, shall be at liberty to consider the petitioner's prayer if he complies with rule 6 of the said Rules of 1959.

5. The Writ Petition is disposed of, without any order for costs.

(PUSHPA V. GANEDIWALA, J.)

(CHIEF JUSTICE)

Sumit