

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

CRIMINAL WRIT PETITION NO.166/2020

Sachin Sukhdeo Jaronde,
aged about 37 Yrs., R/o Sirur
Satgaon, Vyankatesh City, Wardha
Road, Nagpur (C/7677, Central
Prison, Nagpur).

..Petitioner.

..Vs..

1. Deputy Inspector General of
Prison (East Region), Nagpur.
2. Superintendent of Jail, Open
Prison, Gadchiroli.

..Respondents.

Ms S.B. Khobragade, Advocate for the petitioner.
Ms H.N. Jaipurkar, A.P.P for the respondents.

**CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE , JJ.**
DATED :- 1.2.2021

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

1. Heard Ms S.B. Khobragade, learned counsel for the petitioner and Ms H.N. Jaipurkar, A.P.P for the respondents. **Rule.** Rule made returnable forthwith. Heard finally by consent.

2. The petitioner is aggrieved by rejection of his application for grant of furlough leave. According to learned counsel for the

petitioner that after 2016, the petitioner has improved his conduct and that is the reason why the petitioner was assigned some labour work. Learned A.P.P. opposed the petition contending that the petitioner has formed a habit of not surrendering on due dates after his release on parole and furlough and, therefore, no faith could be expressed in the goodness of the petitioner.

3. The reply filed on behalf of the respondents gives a chart of the earlier defaults committed by the petitioner. These defaults do indicate conduct of the petitioner from which one can reasonably say that the petitioner is habitual defaulter and, therefore, there is no assurance that if released on furlough leave, the petitioner would not once again repeat his previous behaviour. Such conduct of the petitioner is also violative of the conditions of eligibility for furlough, in particular those stated in rule 4(10) and rule 4(20) of the Prisons (Bombay Furlough and Parole) Rules, 1959. Therefore, no infirmity could be noticed in the impugned order dated 18.1.2020. The petition stands dismissed. Rule is discharged.

JUDGE

JUDGE