

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

CRIMINAL WRIT PETITION NO. 15 OF 2021

Sanjay S/o Tulshiram Bawankar,
Aged adult, R/o. At Kawtha Kadu,
Tah – Chandur Railway,
Dist. Amravati.
(Presently at Central Prison,
Amravati, C-4756)

.... **PETITIONER**

// **VERSUS** //

- 1) The Superintendent,
Central Prison, Amravati.
- 2) The Deputy Inspector General,
of Prisons (Eastern Region), Nagpur.

.... **RESPONDENTS**

Shri D. S. Lambat, counsel (appointed) for the petitioner.
Mrs. N. R. Tripathi, A.P.P for the respondents.

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

DATED : 12.02.2021.

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. From the impugned order itself it is seen that the petitioner
was granted parole but he did not surrender on the due date and hence

he was required to be arrested and brought back to the prison, due to which Crime No. 6 of 2019 for the offence punishable under Section 224 of the Indian Penal Code was registered against the petitioner. The petitioner has been denied furlough leave only because his conduct as a prisoner has not been found to be satisfactory. Such opinion of the Prison Authority in view of the conduct of the petitioner revealed by his late surrender while releasing him on parole cannot be said to be satisfactory and therefore, we see no infirmity in the impugned order.

4. Learned counsel for the petitioner submits that the petitioner needs to be given one more chance. However, as of now there is no material available on record which shows that the petitioner has expected signs of improvement. Therefore, for the present at least for this year, we are not inclined to issue any direction for grant of furlough leave to the petitioner. This petition stands dismissed.

Rule is discharged.

Legal remuneration of Rs.2,500/- (Rs. Two Thousand Five Hundred only) be paid to the counsel appointed for the petitioner.

(AVINASH G. GHAROTE, J.)

(SUNIL B. SHUKRE J.)