

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

CRIMINAL WRIT PETITION NO. 699 OF 2020

Sabir Jabir Khan,
Convict No.C/4858,
Presently at Central Prison,
Amravati.

.... **PETITIONER**

// **VERSUS** //

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

.... **RESPONDENTS**

Shri M. N. Ali, 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. In February 2017, the petitioner was undergoing medical treatment at Government Hospital, Amravati and at that point of time

the petitioner had run away due to which Crime No. 3020 of 2017 for offences punishable under Sections 223 and 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 running away while undergoing medical treatment 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 exhibited 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.)