

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.272 OF 2022

ARJUN @ PAPYA KACHRU UNWANE C-5117
VERSUS

THE ADDL.DIRECTOR GENERAL OF POLICE AND INSPECTOR
GENERAL OF PRISONS AND CORRECTIONAL SERVICES PUNE

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Ms. S. P. Chate, Advocate for the Applicant.

Mr. S.D. Ghayal, APP, for the Respondent – State.

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CORAM : SMT. ANUJA PRABHUDESSAI &
R.M. JOSHI, JJ

DATE : MARCH 01, 2023

PER COURT :

1. The Petitioner has challenged the order dated 08.09.2021 rejecting his request for furlough leave. The request was rejected mainly on the ground that the Petitioner had offered his wife as surety. The same was not accepted as she is residing in Pune and not within the local jurisdiction of Talwada Police Station. The request for furlough was also rejected for late surrender by the Petitioner by 61 days.

2. The order dated 12.04.2022 records the statement of learned APP that the ground of late surrender of the Petitioner while he was on parole would not be taken as a ground to reject the request

for furlough. This Court had also recorded the statement of the learned Counsel for the Petitioner that Petitioner would submit fresh surety i.e., Mohan Vithoba Gore. It is stated that the said Mohan Gore has declined to stands as surety.

3. Considering the facts and circumstances of the case, this Petition can be disposed of with a direction that Petitioner to file a fresh application by offering fresh surety. Learned APP confirms that the late surrender of the Petitioner while he was on parole leave would not be considered as a ground for rejection of the furlough. Upon filing of the Application, the same be decided as expeditiously as possible.

4. The Petition stands disposed of in above terms.

(R.M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J)