

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

CRIMINAL WRIT PETITION NO. 831 OF 2022

Anup S/o Datta Khandare (C/8996),
Aged about 42 years, Occ. Labour,
R/o. Dhamma Nagar, I.B.M.,
Gittikhadan, Nagpur

} .. Petitioner

Versus

1. Deputy Inspector General,
Nagpur Central Jail, Nagpur

2. Superintendent,
Nagpur Central Jail, Nagpur

} .. Respondents

Mr. A. K. Sarode, Advocate for petitioner.

Ms. Nandita Tripathi, A.P.P. for all the respondents.

CORAM : VINAY JOSHI AND
VALMIKI SA MENEZES JJ.

DATED : 22/02/2023

ORAL JUDGMENT

Rule. Rule made returnable forthwith. Heard finally
by the consent of the learned counsel appearing for the parties.

(2) The petitioner has been released on furlough for 28 days vide order dated 30/09/2022. The petitioner is aggrieved by the order directing him to furnish two sureties to the tune of Rs.25000/-

each and to deposit cash surety of Rs.1 Lakh. It is petitioner's contention that due to financial constrain, he is not in a position to meet the condition for grant of furlough. Therefore, petitioner prayed to alter the condition by directing to be released by accepting one surety of Rs.15000/- and cash surety to the extent of Rs.10000/-.

(3) It is apparent that the quantum of surety is too excessive, which has virtually made to execute the order impossible. In view of that, we hereby modify the condition by directing to release the petitioner on one surety to the tune of Rs.15000/- along with P.R. bond for the same amount and depositing cash surety to the extent of Rs.10000/-. The rest of the conditions would stand as it is.

(4) Writ Petition is disposed of in above terms.

[VALMIKI SA MENEZES J.]

[VINAY JOSHI, J.]

KOLHE