



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

947 CRIMINAL WRIT PETITION NO. 465 OF 2024

SAMSHER @ NAWAZALI ABBAS NAWAZ SHAHA

VERSUS

THE ADDL. DIRECTOR GENERAL OF POLICE AND INSPECTOR AND OTHERS

...

Advocate for petitioner : Ms. Sharada Pundlik Chate

APP for the respondent – State : Mr. A.V. Lavte

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 12 MARCH 2024

PC :

The petitioner who is confined in an open prison, is aggrieved by the fact that the DIG (Prisons) by the communication dated 09-02-2024 has called upon the petitioner to furnish another surety.

2. The learned advocate for the petitioner cites the observations of the Full Bench of this Court in the matter of ***Dipak Sudhakar Wakalekar Vs. State of Maharashtra and others (Criminal Writ Petition no. 848 of 2010 dated 04-05-2011)***. She submits that request made to the DIG (Prisons) for granting him furlough only on furnishing a PR bond vide communication dated 30-11-2023 may be considered.

3. Since the DIG (Prisons) is still to pass a final order, we dispose of the writ petition by directing him to pass appropriate order in accordance with law, however, taking into consideration the decision of the Full Bench in the matter of ***Dipak*** (supra). The decision shall be taken as expeditiously as possible and in any case within two weeks.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/