

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 165 OF 2024

Pravin @ Bhangarya Bhimrao Patil .. Petitioner
Versus
The State of Maharashtra .. Respondent

...

Mr.Amit Mane for the petitioner.

Dr.Ashvini Takalkar, APP for the State.

Mr.Chandrakant Kadam, Jailor Group-2, Nashik Road, Central Prison, Nashik.

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 19th JUNE, 2024

P.C:-

1 For the delay of two days in surrendering after availing the furlough leave, the Petitioner on 29/05/2023 has offered an explanation, that his son became unconscious on 23/05/2023, when he was to surrender, and on being taken to the local doctor, he was required to be admitted in ICU, and this constrained him to report in the prison after two days.

2 The present petition is filed being aggrieved as the present petitioner is issued with a show cause notice, as to why he remained outside the prison unauthorizedly and should not be imposed with prison penalty, in addition his security deposit is also forfeited.

3 Being enquired with the learned APP, as to whether any discretion is vested in the Superintendent to consider an explanation,

which is offered by the prisoner while he surrender belatedly and in what circumstances the penalty is liable to be imposed as prison penalty for late surrender.

The learned APP, Ms. Takalkar seek some time. At her request, re-notify to 1/07/2024.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)