



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

CRIMINAL WRIT PETITION NO.794/2024

(Pralhad Feku Gupta Vs. Deputy Inspector General of Prison (East Region), Nagpur and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Sonali Khobragade, Advocate for the petitioner.
Mr. Anant Ghogare, A.P.P. for respondents/State.

CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 7.10.2024.

Heard.

2. The petitioner has applied for furlough leave which is rejected. This Court vide order dated 1.8.2024 has set aside the order of rejection and directed to release the petitioner on furlough leave subject to imposing suitable conditions. In turn, Authority vide impugned order has imposed several conditions including the condition of executing personal bond for Rs.5,00,000/-, deposit of cash of Rs.5,00,000/- and two sureties of Rs.1,00,000/- each. Petitioner was also directed to report the concerned police station within 48 hours from the release.

3. Already this Court has held that the petitioner is entitled for furlough leave and accordingly the order has been passed. The conditions appear to be quite harsh and unreasonable. The petitioner is stated to be unable to meet the conditions due to lack of resources. Imposition of such onerous conditions amounts to denial of right. In the circumstances, the order of release is modified to the extent of permitting the petitioner to deposit cash of Rs.10,000/-

instead of Rs.5,00,000/- and to furnish surety of Rs.50,000/- each instead of Rs.1,00,000/-. The condition of reporting to concerned police station within 48 hours is modified to the extent of 72 hours.

4. Petition stands disposed of accordingly.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)