



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

CRIMINAL WRIT PETITION NO.978/2024

Mohd. Yusuf Mohd. Abdul Haq (C-675) Vs. Divisional Commissioner, Amravati and Ors.

AND

CRIMINAL WRIT PETITION NO.988/2024

Sumit Brijbihari Giri (C-6174) Vs. Divisional Commissioner, Amravati and Anr.

Ms Ratna Singh, Advocate for Petitioner.

Ms N. R. Tripathi, A.P.P. for Respondents/State.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 18/12/2024.

P.C.

. Based on the amended the Prisons (Bombay Furlough and Parole) Rules, 1959, particularly Rule 19, the prayer of the petitioner for release on parole/furlough came to be rejected.

2. The ground which is sought to be substantiated so as to justify the impugned order as is sought to be canvassed by the Additional Public Prosecutor is in relation to the expiry of period of 18 months as provided in the aforesaid Rules.

3. The Full Bench judgment of this Court in the case of *Kantilal Nandlal Jaiswal Vs. Divisional Commissioner, Nagpur* reported in *2019(6) Mh.L.J. 186* so also in another *Criminal Writ Petition No.379/2024 (Raju @ Mukesh Poonamchand Patel Vs. Divisional Commissioner, Amravati and Anr. with connected matters)* has already resolved the said issue and as such, embargo created of 18 months under the Rule 19 of the said Rules will not be operating against the interest of the petitioner

so as to seek the release of parole and furlough.

4. That being so, the order impugned is hereby quashed and set aside.

5. We direct the respondents to deal with the prayer of the petitioner for release on parole/furlough in accordance with the Full Bench judgment and also the order delivered in the aforesaid Writ Petition.

6. Let the decision be communicated to the petitioner within a period of four weeks.

7. The petitioner is at liberty to furnish additional information, if so required, within a period of two weeks from today.

8. Both the petitions stand disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.) (NITIN W. SAMBRE, J.)