



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

CRIMINAL WRIT PETITION NO. 333 OF 2025

Machhindra @ Avinash Ganpat

Vs.

The Superintendent, Central Prison, Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Shweta P. Chavhan, Advocate for petitioner.
Ms. N.R. Tripathi, APP for respondent.

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

DATE : 23.04.2025.

It is the case of the petitioner that in his family nobody is willing to stand surety for his release on furlough.

2. Apart from above, in paragraph 4, it is specifically mentioned that on earlier occasion, the petitioner was released on furlough and parole and he has reported back in-time and during such release no untoward incident is reported in his credit.

3. In the aforesaid background, it is claimed that the petitioner is entitled to be released on personal bond.

4. The claim is objected by the learned Assistant Public Prosecutor on the ground that the Rules which are brought into effect, vide Notification dated 02.12.2024 provide for grant of furlough and parole to the prisoner, subject to executing personal bond and cash security.

5. We are informed that even in the earlier occasion the petitioner was released on personal bond as his financial condition is weak.

6. In that view of the matter, we deem it appropriate to allow the present application in the light of the Full Bench judgment in the matter of *Natia Jiria Vs. State of Gujarat and Ors.*, reported in **[1984 GLJ 594(FB)]**.

7. As such, we allow the present petition with direction that petitioner be admitted to furlough on such terms and conditions which the competent authority may deem fit. However, we need to clarify that his release shall be on personal bond.

(Mrs. Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)