



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL WRIT PETITION NO.463 OF 2024

Ganesh Ramaji Sonone, Central Prison, Nagpur
vs.

State of Maharashtra, Thr. Deputy Inspector General of Prison, Nagpur and anr.

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

Court's or Judge's orders

Smt Shweta Pritam Chavhan, Advocate for petitioner.
Shri I. J. Damle, Additional Public Prosecutor for respondents/State.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATED : 10th December, 2025

The petitioner has questioned two orders passed by respondent No.1. One is dated 07/10/2013 and another dated 01/12/2014. The petitioner was released on parole leave and furlough leave respectively. On both occasions he surrendered late. On the first occasion he surrendered late by 74 days and on second occasion by 69 days. The reasons assigned for first delay is the ailment of mother and for the second, the death of father.

2. We have gone through the records. The respondent No.1 has found that the petitioner stayed beyond the period of ailment of his mother. The petitioner was supposed to surrender by 05/09/2011, he, however, surrendered on 19/11/2011. Thus, there was delay of 74 days. The petitioner has not placed before us any document to show that for the entire extended period, his mother was suffering from ailment and that the ailment was such that presence of petitioner was necessary.

3. So far as the second order is concerned, petitioner was granted leave up to 07/07/2012. Therefore he was duty bound to surrender on that date. He however, surrendered on 14/09/2012. Thus, the petitioner surrendered after 69 days of the scheduled date. The reason assigned is death of his father. When enquired as to when

did father expire, counsel for petitioner submits that he expired on 14/08/2012.

4. This reason is not acceptable inasmuch as petitioner was supposed to surrender by 07/07/2012. The petitioner has not placed on record any document to show that at the relevant time, petitioner's father was under treatment and ultimately succumbed to the ailment on 14/08/2012. In absence of such evidence, it is difficult to infer that petitioner was compelled to stay back after 07/07/2012.

4. That being so, there appears no substance in the petition. Petition is accordingly dismissed.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)