



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.
CRIMINAL WRIT PETITION NO.568 of 2024

Ganesh Prahlad Dhengle (C-5673)

Vs.

Special Police Inspector General Prison (East Region), Nagpur and others.

Ms Ratna Singh, Advocate for petitioner.

Ms N. R. Tripathi, Additional Public Prosecutor for respondents

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

DATE :- 7th FEBRUARY, 2025

Heard learned counsel for the parties.

2. Prayer for furlough is rejected vide impugned order dated 07.06.2024 on the count that the petitioner is not willing to discharge the work assigned to him.

3. By the time the order was passed, the petitioner, who is convicted for an offence punishable under Section 302 of the Indian Penal Code, has already undergone imprisonment for 5 years 5 months and 18 days. His cousin brother - Rameshwar is ready to stand surety for him.

4. It appears that the only reason cited in the impugned order for not granting furlough is, failure of the petitioner to discharge the work assigned to him.

5. The impugned order is too vague to understand as to the date, mode and manner the work assigned to the petitioner has not been discharged by him.

6. However, the counsel appearing for the petitioner on instructions assures that the petitioner shall be diligent and shall honour the order for discharge of the work which shall be assigned to him by the Jail Authority.

7. Since the statement is made on instructions, the same is accepted.

8. That being so, the order impugned dated 07.06.2024 is hereby quashed and set aside. It is directed that the petitioner be admitted to furlough in accordance with the Rules expeditiously.

9. The criminal writ petition stands allowed in aforesaid terms.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)