



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

CRIMINAL WRIT PETITION NO. 573 OF 2024

[Mohammad Arman Abdul Rahman (in jail) **vs.** Special Police Inspector General
Prison (East Region), 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

Ms. Ratna Singh, Advocate for the petitioner
Mrs. N. R. Tripathi, APP for the respondents

CORAM: ANIL L. PANSARE AND
M. M. NERLIKAR, JJ.

DATED : 22-07-2025.

Heard.

2. The petitioner's request to release him on furlough has been rejected on the count that his brother has threatened the witnesses saying that once petitioner is released, he will see them.

3. Learned counsel for the petitioner submits that in the intervening period, the petitioner was released on parole for 40 days and returned back within time. He stayed at his residence. No complaint has been made against him.

4. Learned Additional Public Prosecutor submits that if at all, benefit of furlough is to be extended, the petitioner may be directed to stay/reside at different place with his family. To which, learned counsel for the petitioner submits that when the petitioner was released on parole, he resided at his place of residence and no complaint was made.

5. We are of the view that merely because the petitioner's brother has allegedly involved in the activity of threatening the witnesses, one cannot jump to the conclusion that the petitioner will indulge into such activity. The request

made by the petitioner will have to be considered on the basis of the complaint, if any, received against him. It further appears that nobody made complaint against the petitioner when he was released on parole and resided at his regular accommodation.

6. Considering the fact that subsequent to rejecting his application, the petitioner was released on parole, we grant liberty to the petitioner to approach the respondent - authority for seeking benefit of furlough afresh, which if filed, shall be considered by the respondents on its own merit and on the basis of what has been said in the order today. The respondent shall take decision within the time stipulated under the rules.

7. Writ petition is disposed of in above terms.

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)

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