



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

CRIMINAL WRIT PETITION NO.642 of 2024

Raju Chhannulal Birha (In Jail) C-11211)

vs.

State of Maharashtra through Deputy Inspector General of Prison, ER, Nagpur and
another.

Mr. S. P. Chavhan, Advocate for petitioner.

Ms S.S. Jachak, Additional Public Prosecutor for respondents.

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

DATE :- 13th FEBRUARY, 2025

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Heard learned counsel for the parties.

2. The rejection of the prayer for grant of furlough is substantiated on the ground that the surety is not able to control the movement of the petitioner-convict.

3. We are sensitive to the fact that the petitioner-convict is intended to stay with his family viz. wife and children and the surety, who is his cousin.

4. In such an eventuality, merely because the surety is not residing in the village where the convict intends to reside with his family, cannot be a reason for rejection of the prayer.

5. That being so, the impugned order dated 30.04.2024 is hereby quashed and set aside. The consequential order granting furlough be communicated to the petitioner within a period of four weeks from today.

6. The criminal writ petition stands allowed in above terms.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)