



2-745-2025

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

CRIMINAL WRIT PETITION NO. 745 OF 2025

(Zubair Khan Shabbir Khan (Presently – Central Prison, Chh. Sambhaji Nagar) Vs. The Deputy
Inspector General (Prison), Eastern Region, Wardha & Ors.)

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

Court's or Judge's orders.

Mr. G.B. Mate, Counsel for the petitioner.
Mr. S.S. Doifode, A.P.P. for the respondents/State.

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**CORAM : ANIL L. PANSARE AND
SIDDHESHWAR S. THOMBRE, JJ.
SEPTEMBER 16, 2025**

The argument is that the order impugned has been passed by the Additional Superintendent, Nagpur Central Prison, Nagpur. The Counsel has invited our attention to Rule 6 of the Maharashtra Prisons (Furlough and Parole) Rules, 2024 (for short “Rules of 2024”). It provides that request for furlough, if made by a convict, who is in a closed prison, shall be decided by the Deputy Inspector General of Prisons. In the present case, the order has been passed by the Additional Superintendent, Nagpur Central Prison, who has no authority to decide the matter.

2] The learned A.P.P., however, submits that the petitioner has been released on parole vide order dated 22/8/2025.

3] We instructed the Counsel for the petitioner to take instructions. He submits, on instructions, that though the order was passed on 22/8/2025, the petitioner has been released yesterday and, therefore, he

was not made aware of the subsequent developments. The Counsel, on instructions, seeks permission to withdraw the petition and to file request for furlough leave afresh in accordance with rules. He, however, submits that the request, so made, should be considered by the competent authority.

4] Needless to say that the request, so made, shall always be considered by the competent authority in terms of the Rules of 2024.

5] Accordingly, the petition is disposed of as withdrawn with liberty as prayed for.

(JUDGE)

(JUDGE)

Sumit