



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

CRIMINAL WRIT PETITION NO.907 OF 2025

Raju Maroti Wasekar (C-685) (In Morshi Open Prison), R/o Krushnanpur, Post Nerad, Tah.
Wani, Dist. Yavatmal

vs.

Deputy Inspector General (Prisons), 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 petitioner.
Smt N. R. Tripathi, Addl. Public Prosecutor for respondent Nos.1 and 2.

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

DATED : 17th November, 2025

On 13/11/2025, following order was passed :

“ The petitioner has approached this Court to modify order dated 28.10.2025, passed by respondent No.1 to the extent of requirement of furnishing surety and depositing cash surety. The petitioner submits that he is an Open Prison prisoner. He was released on parole and furlough leave without surety for at least 7-8 times. His mother has expired. The authority below was pleased to allow the parole leave but with a condition of furnishing surety of Rs.10,000/-, which the petitioner is not in a position to furnish.

2. *If what has been stated by the petitioner is correct, respondent No.1 shall consider difficulty put forth by petitioner by taking into consideration the judgment passed by Division Bench of this Court (Aurangabad Bench) in Writ Petition No.332/2025 [Narsing Shankar Talnikar and Ors. Vs. State of Maharashtra and Ors. Decided on 11.06.2025].*

3. *At this stage, learned A.P.P. has invited our attention to Rule 24 of the Maharashtra Prisons (Furlough Parole) Rules, 2024, to contend that the authority below may not dispense with the surety.*

4. *We have gone through Rule 24 to find that there is a provision that no person shall be granted furlough or parole unless he can provide the suitable surety willing to receive him. Thus, it appears that the authority below is in difficulty to extend any concession.*

5. *We, therefore, request learned A.P.P. to take instructions*

as regards submissions made by the petitioner that he is an Open Prison prisoner and was released on parole/furlough without furnishing surety on previous occasion. Learned A.P.P shall also go through Narsingh's case supra and make submissions.

6. Considering the reasons for which the parole leave is granted, instructions shall be taken at the earliest.

7. Stand over to 17.11.2025."

2. Learned Additional Public Prosecutor submits that the statement made by the petitioner that he was released on parole and furlough without furnishing surety for 7-8 times is false and incorrect. She submits that petitioner was released on furlough on five occasions and on parole once. Out of six releases, he was released only once without surety. He was however, required to furnish cash security. This time leave is granted upon furnishing surety of Rs.10,000/-.

3. The order appears to us to be reasonable. We are not inclined to reduce the amount considering the conduct of the petitioner, in the sense considering the fact that he made a false statement before the Court.

4. The petition is accordingly dismissed.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)