



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

CRIMINAL WRIT PETITION NO.01/2025

Baba Usman Patel Vs Divisional Commissioner, Amravati Division, Amravati and another

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

Court's or Judge's order

Mr. A.S.Londhe, Advocate for petitioner
Mr. Nandita R.Tripathi, APP for respondent nos.1 and 2.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : MARCH 17, 2025.

1. Heard.
2. The petitioner has sought prison leave based on the ailment of his wife.
3. Vide impugned order, such prayer of the petitioner is rejected on the ground of likelihood threats to the family members of the victim of the crime in which the petitioner is convicted so also adverse police report.
4. The learned APP has relied on sub-clauses (4) and (6) of Rule 4 of the Prisons (Bombay Furlough and Parole) Rules, 1959.
5. The fact about threat perception to the witnesses can be taken care of by imposing appropriate conditions during the course of the prison leave. Apart from above, just because there is adverse police report that by itself is not disentitled for prison leave.
6. That being so, the order impugned dated 28th November, 2024 is quashed and set aside with a direction to the respondents to admit the petitioner to prison leave on such terms and conditions as the respondents may deem fit.
7. Let the order be communicated to the petitioner within two weeks from today.

(MRS.VRUSHALI V. JOSHI, J.) (NITIN W.SAMBRE, J.)