



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

CRIMINAL WRIT PETITION NO.708 OF 2024

Arif Khan Niyamat Khan (C-3756) Nandura, Dist. Buldhana

-VS-

Special Police Inspector General Prison (East Region), Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Ms Ratna Singh, Advocate for petitioner.

Smt N. R. Tripathi, Additional Public Prosecutor for respondents.

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

DATE : January 02, 2025

1. Heard.
2. In the order impugned the reason cited for rejecting furlough leave is the petitioner's earlier delayed surrender by 1541 days in 2019 and two years 15 days delayed surrender when released on 2022 COVID leave.
3. Our attention is invited to the report submitted by the Sub Divisional Police Officer, Malkapur wherein it is mentioned that the petitioner never surrendered late after leave and was not absconding.
4. We fail to understand as to what prompted the Special Inspector General of Police (Prisons) to make such incorrect observations of petitioner's delayed surrender.
5. In this background, we direct Dr Jalinder Supekar, Special Inspector General of Police (Prisons), East Division, Nagpur to file an affidavit as to the basis for making such observations in the order impugned.
6. Let such affidavit be placed on record within two weeks.
7. Stand over to 20/01/2025.
8. The learned Additional Public Prosecutor to communicate this order to the said Police Officer.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)