



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

CRIMINAL WRIT PETITION NO.537 OF 2025

Padmakar Shaligram Ambhore
Vs.
Special Police Inspector, General Prison and Another

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

A.R. Singh, Advocate for the Petitioner.
Ms. N.R. Tripathi, APP for the Respondent No.1.

CORAM: ANIL L. PANSARE AND
SIDDHESHWAR SUNDARRAO THOMBRE, JJ.

DATED : 09th SEPTEMBER, 2025

1. The grievance of the petitioner is that the application seeking furlough leave has not been accepted. The petitioner made an attempt to file application dated 15th May, 2025 seeking furlough leave stating therein that the previous furlough leave granted should be taken as leave granted for the year 2023.
2. Learned APP submits that once the furlough leave is granted, subsequent application cannot be filed within one year of the last furlough leave in terms of Rule 9 of The Maharashtra Prisons (Furlough and Parole) Rules, 2024 (for short “Rules of 2024”).
3. In our view, filing of application is one thing and eligibility of a prisoner to seek furlough leave or parole leave is another. Rule 9 of the Rules of 2024, doesn’t prohibit the filing of application, particularly,

when in the application, the petitioner has made a request to consider the previous furlough leave to have been availed in the year 2023.

4. The approach of respondents to not accept the application is not supported by any provisions, as cannot be, because the right of a person to make representation or to make application or to file proceedings, cannot be taken away. It is a different matter that application, representation and proceedings so filed could be rejected/dismissed in accordance with Rules. The respondent shall accordingly, accept the application and decide the same in accordance with the provisions of law/ rules.

5. The petitioner shall submit a fresh application within one week from today. The petition is disposed of in above terms.

(JUDGE)

(JUDGE)

Privel