



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

CRIMINAL WRIT PETITION NO. 67 OF 2026

(Komesh s/o Jaipal Dede Vs. Deputy Inspector General of Prison (East Region), Nagpur & Anr.)

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

Court's or Judge's orders.

Ms Sonali Khobragade, Counsel for the petitioner.
Ms N.R. Tripathi, A.P.P. for the respondents/State.

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CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
FEBRUARY 25, 2026

Relief of Furlough is denied on the count that the petitioner failed to furnish suitable surety, who is willing to receive him. According to the learned A.P.P., suitable surety would mean 'family member'.

2] We have gone through the relevant Rule, viz., Rule 24 of the Maharashtra Prisons (Furlough and Parole) Rules, 2024, to find that it does not indicate or provide that surety should be one from amongst the family members.

3] At this stage, the learned A.P.P. submits that the word 'family member' is used in Form – C, which is a surety bond to be submitted by the surety.

4] We have gone through Form – C to again find that no such word is used. The learned A.P.P. should be, therefore, careful before making statement before the Court, which is of the nature of misdirecting or misleading the Court.

5] At this stage, the Counsel for the petitioner submits that petitioner's maternal uncle is willing to stand as surety.

6] The respondents shall, therefore, consider the case of the petitioner afresh in light of the statement made by the Counsel for the petitioner, and decide the same within the stipulated time.

7] The petition is disposed of in terms of above.

(JUDGE)

(JUDGE)

LATER ON

8] The learned A.P.P. has tendered apology in writing. Accepted.

9] The remark made in the above order against the learned A.P.P. as regards her submission amounting to misdirecting and/or misleading the Court, is deleted.

(JUDGE)

(JUDGE)

Sumit