



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

CRIMINAL WRIT PETITION NO. 120 OF 2026

Kunal Ramesh Tagade,
Convict No. C/322, aged about 38 years,
Occ. Nil, Confined at Open Prison,
District – Nagpur.

...PETITIONER

Versus

- 1] Additional Superintendent Central
Prison, Nagpur.
- 2] The Superintendent, Central Prison,
Nagpur.

...RESPONDENTS

Ms S.W. Wankhede – Chavhan, 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.
DATE : 2/4/2026

ORAL JUDGMENT (PER : ANIL L. PANSARE, J.) :

Heard.

- 2] Issue Rule returnable forthwith. The learned A.P.P. waives service of Rule on behalf of the respondents. With consent of the learned Counsel for the petitioner and the learned A.P.P, the petition is taken up for final hearing.
- 3] The petitioner has approached this Court seeking

directions against respondent no.2 to release him on furlough leave on personal bond and cash surety. Respondent no.2 has, vide impugned communication dated 7/2/2026, informed the petitioner that the surety, named by him, is not willing to act as surety. Accordingly, respondent no.2 instructed the petitioner to make arrangement of another surety.

4] The Counsel for the petitioner submits that the petitioner is in jail since more than thirteen years. He has no means to make arrangement of surety because he is not in contact with the citizens of town, where he used to reside. She further submits that previously, the petitioner was released on furlough leave. He returned back within time. She then submits that because of good conduct, the petitioner is shifted to open prison.

5] When enquired with the learned A.P.P., she admits the same.

6] Thus, it appears that the petitioner was earlier released on furlough leave. He returned back and surrendered to the prison authorities well within time. It further appears that because of good conduct, he is now shifted to open prison.

He has undergone thirteen years of life imprisonment. He has difficulty in making arrangement of surety because of his long incarceration resulting into his isolation that affected social contact.

7] That being so, and considering the petitioner's conduct, we are of the view that the petitioner is entitled for furlough leave.

8] Accordingly, we direct respondent no.2 to release the petitioner on furlough leave upon his furnishing PR bond and cash surety for an amount of Rs.10,000/- (rupees ten thousand). Necessary decision on period of leave and other such contingencies shall be taken within two weeks from today.

9] Rule is made absolute in the aforesaid terms. No costs.

JUDGE

JUDGE

Sumit