

(2013) 12 BOM CK 0032

In the Bombay High Court

Case No : Criminal Writ Petition No. 655 of 2013

Sachin Mukunda Manerao

APPELLANT

Vs

The D.I.G. Prisons (E) (R) and Another

RESPONDENT

Date of Decision : 02-12-2013

Acts Referred:

Citation : (2014) ALLMR(Cri) 906

Hon'ble Judges : Z.A. Haq, J;A.B. Chaudhari, J

Bench : Division Bench

Judgement

A.B. Chaudhari, J.—Rule. Rule is made returnable forthwith. Learned Asst. Govt. Pleader Mrs. Joshi waives service on behalf of respondents. The only apprehension carried by the respondents is that the surety proposed by the petitioner by name Sau. Surekha Raghunath Lokhande is not ready to act so for the petitioner.

2. Per contra, learned Adv. Mr. Ahmed [appointed] for the petitioner, states that, in fact, said Sau. Sureskha Lokhande is ready to stand as surety and the statements made by the respondents to the contrary are not correct. Learned APP Mrs. Joshi states that that is the only reason why the order could not be passed allowing furlough leave.

3. If that is so, we make the following order:- (a) Criminal Writ Petition No. 655 of 2013 is disposed of with liberty to the surety to appear before the concerned authority and furnish the surety which shall be then accepted by the authority. If it satisfies all the conditions and fits into rules, he shall pass further order.

(b) If the surety is not furnished according to law, the authority will be at liberty to pass orders accordingly.

Fees payable to learned Adv. Mr. Ahmed [appointed] for the petitioner are quantified at Rs. 1,000-00 [rupees one thousand only].