

Gujarat High Court

Guruprasad vs State on 15 July, 2008

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Gujarat High Court Case Information System

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SCR.A/1383/2008 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL
CRIMINAL APPLICATION No. 1383 of 2008

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GURUPRASAD
@ MANILAL DHIRUBHAIUPADHYAYA - Applicant(s)

Versus

STATE
OF GUJARAT & 2 - Respondent(s)

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Appearance
:
THROUGH
JAIL for Applicant(s)
: 1,
MR UR BHATT, APP for
Respondent

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CORAM

:

HONOURABLE

MR.JUSTICE MD SHAH

Date
: 15/07/2008

ORAL
ORDER

Heard learned APP Mr.U.R.Bhatt.

Rule.

Learned APP Mr.Bhatt waives service of rule on behalf of respondents.

The convict prisoner has preferred this application for seeking his release on furlough leave on the ground of his own illness.

In spite of the orders passed by this Court earlier releasing the convict prisoner, without applying mind, taking into consideration the past conduct of the convict prisoner, the authority has passed the order rejecting his furlough leave application in a mechanical manner. The convict prisoner is in jail since 13 years. In past also, he was released on furlough leave or parole leave several times.

In view of the above, the convict prisoner is ordered to be released on furlough leave for a period of 15 (fifteen) days from the date of his release on his executing a personal bond in sum of Rs.2,000/- (Rupees Two thousand only) before the jail authority on usual terms and conditions. This application is allowed to the above extent and rule is made absolute accordingly.

It is expected by this Court that the authority may take proper care while taking such decisions and passing such orders in future.

(M.D.Shah, J.) Sreeram.

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