

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1718 of 1996

For Approval and Signature:

Hon'ble THE CHIEF JUSTICE G.D.KAMAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NIRMALSINH

Versus

STATE OF GUJARAT

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Appearance:

MS Subhadraben G. PATEL for Petitioner  
Mr.Raval, Addl. P.P., with  
Mr.M.R. Anand, PUBLIC PROSECUTOR for Respondent No. 1

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CORAM : THE CHIEF JUSTICE G.D.KAMAT

Date of decision: 27/12/96

ORAL JUDGEMENT

Rule. Mr.Raval, learned A.P.P., waives service of Rule on behalf of the respondents. By consent, to be heard forthwith.

The petitioner is convicted under Section 302 IPC, and sentenced to life imprisonment by the order dated 2nd of July, 1985. He was in Jail as an undertrial

prisoner since 22nd November, 1984. It appears that he has enjoyed one furlough and he applied for furlough for the year 1996. However, his application was turned down on the ground that the surety, indicated by him, is not acceptable to the Jail authorities. In his petition, the applicant has suggested name of one Ramilaben Rajubhai Bharvad, residing at : 156, Jalaramnagar, near Bisi Neher, Goradhra Road, Udhna Yad, Surat. It is open to the Jail authorities to consider whether Smt. Ramilaben Rajubhai is a person fit to be surety for releasing the petitioner on furlough within four days from today. Petition stands accordingly disposed of. Rule is made absolute to the extent indicated.

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(apj)