

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Writ Petition No.372 of 2015

Raju @ Ahmed S/o Ismail Syed. .. **Petitioner.**

Versus

The State of Maharashtra
And Others. .. **Respondents.**

Shri. Saisagar A. Ambilwade, Advocate, appointed for the
petitioner.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondents.

**CORAM: T.V. NALAWADE
Smt. I.K. JAIN, JJ.**

DATE : 15th APRIL 2015

ORDER:

- 1) Heard learned counsels for both the sides.
- 2) It appears that applications were made for grant of furlough on two occasions like 1-6-2014 and 5-9-2014. The petitioner was not able to give surety bond and he requested to release him on Personal Recognition bond. It is submitted that the petitioner was released on furlough in the year 2004. As the petitioner had not returned to jail in time, the application is rejected.

3) After 2004 the petitioner must have been again released on furlough. It is not case of the respondents that when the petitioner was released on furlough subsequently he did not return in time after expiry of the leave. The incident is very old. We are now in April 2015. The petitioner may file fresh application to the authority for grant of furlough. In the light of the observations of the Full Bench of this Court in the case reported as **2011 (2) Bom. C.R. (Cri.) 586 (Deepak Waklekar v. State of Maharashtra)** the jail authority is to consider the application sympathetically. It appears that the petitioner has been behind the bars since last 15 years.

4) In the aforesaid terms the application is disposed of. Copy is to be given to the convict by the Registrar (Judicial). The fees of the learned counsel appointed is quantified at Rs.1500/- (Rupees fifteen hundred only).

Sd/-
(Smt. I.K. JAIN, J.)

Sd/-
(T.V. NALAWADE, J.)

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