

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.506 OF 2015

Rajesh Rampadaras Kahar

...PETITIONER

VERSUS

The State of Maharashtra

...RESPONDENT

...

Mr. A.R. Gaikwad Advocate appointed for
Petitioner.

Mr.K.S. Patil, A.P.P. for Respondent.

...

CORAM: S.S. SHINDE AND
A.I.S. CHEEMA, JJ.

DATE : 12TH JUNE, 2015

ORDER :

1. Heard the learned counsel appearing for the
Petitioner and learned A.P.P. appearing for State.

2. The learned A.P.P. appearing for
Respondent has tendered the reply across the Bar.
From careful reading of the contents of the

application filed by the Petitioner, it appears that the Petitioner is eligible to apply for furlough leave since 17th May 2007 but according to the Petitioner, nobody is ready to stand surety and therefore the Petitioner has not applied for furlough leave in the past. Therefore, the Petitioner has approached this Court.

3. Upon perusal of the averments in the affidavit in reply, it appears that the Petitioner has not applied for furlough leave to the competent authority and directly addressed a letter to the Registry of this Court making grievance that nobody is ready to stand surety though from the year 2007 the Petitioner is eligible to release on furlough leave.

4. In the first place, the Petitioner should have applied for furlough leave to the competent authority and then the question of standing surety for him would arise.

5. In that view of the matter ends of justice would meet in case the Petitioner is directed to approach the competent authority by filing appropriate application for furlough leave. Accordingly, the Petitioner to file application with the competent authority for releasing him on furlough leave. In case such application is filed, the said authority without insisting for surety, shall release the Petitioner on furlough leave on executing personal bond and after complying the other formalities.

6. In light of above, Writ Petition stands disposed of.

[A.I.S.CHEEMA, J.]

asb/JUN15

[S.S. SHINDE, J.]