

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 820 OF 2014**

Mohd. Yasin Chuttan Shaikh
C-8004, lodged in Nashik Road
Central Prison

.. Petitioner

Vs.

The State of Maharashtra

.. Respondent

....

Ms. Sonia Miskin Advocate appointed for Petitioner
Mr. A.S.Shitole A.P.P. for the State

....

**CORAM : SMT.V.K.TAHILRAMANI ACTING C.J. &
DR.SHALINI PHANSALKAR-JOSHI, J.
DATED : DECEMBER 14, 2015**

P.C.:

1 Learned A.P.P. seeks leave to amend. Amendment to be carried out forthwith.

2 Heard both sides. Rule. By consent, Rule made returnable forthwith.

3 The petitioner has preferred an application for furlough on 4.3.2013. The D.I.G. (Prisons), Central Region, Pune received an adverse police report, hence, the application for furlough came to be rejected on 2.8.2013. Being aggrieved

thereby, the petitioner preferred an appeal before the Inspector General of Prisons, Pune on 2.9.2013. The said appeal came to be remanded back to the D.I.G. Prisons, Central Region, Aurangabad stating that if the petitioner is ready to give able surety then the competent authority may take a decision about the furlough leave of the petitioner, however, the petitioner in his reply dated 9.12.2013 has stated that he is unable to furnish another surety, hence, the application and furlough application came to be rejected on 26.12.2013. However, it is seen that thereafter the petitioner filed another application for furlough on 8.12.2014. The said application came to be allowed and the petitioner was released on furlough on 17.4.2015 and he was to surrender back on 9.5.2015. Pursuant to the said order, the petitioner enjoyed his furlough leave and reported back on 9.5.2015. Looking to the fact that thereafter the petitioner was released on furlough, this petition has become infructuous and is disposed of accordingly. Rule is discharged.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [ACTING CHIEF JUSTICE]