

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1564 OF 2014**

Sanjay Kiranpal Singh

.. Petitioner

Vs.

The State of Maharashtra

..Respondent

None for the Petitioner

Mr. H.J.Dedia A.P.P. for the State

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

....
DATED : NOVEMBER 30, 2015

P.C.:

1 The petitioner has preferred this petition through jail. The petitioner has prayed for furlough. It is the case of the petitioner that earlier he preferred an application to this court praying for furlough, however, he has not received any reply to the same. On perusing the record, it is noticed that no such application has been received from the petitioner.

2 In the present petition, the petitioner has prayed for release on furlough. It is seen that the petition is of the year

2014. The petitioner has not stated in this petition that he has preferred an application to the concerned authorities. In order to be released on furlough, a prisoner has to make an application to the concerned authority. It does not seem to be the case of the petitioner that the petitioner made an application for furlough before concerned authorities and he is seeking release on furlough from this Court. In any event, the petition of the petitioner is of the year 2014.

Note (3) of Rule 2 of Chapter XXXVII of the Rules for Furlough and Parole to Prisoners which deals with furlough and parole states that "If at any time, a prisoner who could have been granted furlough is either not granted or is refused the same the period for which he could have been granted the furlough shall not be carried forward but shall lapse".

3 Thus, even if the petitioner had preferred an application for furlough before the concerned authorities in the year 2013 or 2014 now it would not be possible to consider the prayer for furlough. In case, if the petitioner wishes to be released on furlough, it would be open to the petitioner to make a fresh application for furlough. If such an application is

preferred, the concerned authorities shall dispose of the same as expeditiously as possible.

4 Petition is disposed of in above terms. Order be communicated to the petitioner who is in Nashik Road Central Prison.

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

kandarkar