

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2712 of 2015

Firoz Anwar Abdul Aziz Pathan

.. Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. N.N. Gawankar i/b M.N. Gawankar for the petitioner

Mr. K.V. Saste, APP for respondent State

CORAM: RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 10th JULY, 2015.

P.C.

1. The petitioner is life prisoner and at present confined at Yerawada Open Prison. On 06.02.2015, the petitioner applied for furlough leave to the respondent no.3. By order dated 22.06.2015, respondent no.3 granted petitioner's furlough leave for a period of 14 days. In pursuant of this order, the petitioner was released from Yerawada Open Prison on 27.06.2015. The period of furlough leave is expiring on 11.07.2015 and he is required to surrender on 12.07.2015.

2. Learned Counsel for the petitioner contends that the petitioner's wife is under treatment for abdominal pain. He has placed on record Medical Certificate dated 30.06.2015, copy of which is annexed at page 10 to the petition. Therefore, on 02.07.2015, he made an application to the respondent no.3 for extension of his furlough leave. The grievance of the petitioner is that his application dated 02.07.2015 for extension of furlough leave is not decided till date and if it is not decided till 11.07.2015, the application will render infructuous. Accordingly he has approached this Court for direction to respondent no.3 to decide the same expeditiously.

3. Mr. Saste, learned APP states that petitioner's application for extension of furlough leave will be decided and appropriate order will be passed by the respondent no.3.

4. In the above circumstances, in our considered view, this petition can conveniently be disposed of by directing respondent

no.3 to dispose of the petitioner's application for extension of furlough leave, copy of which is annexed at Exh.“C”, as expeditiously as possible and on or before 14.07.2015.

5. In the interest of justice, the furlough leave granted by the respondent no.3 to the petitioner by order 22.06.2015 is extended till 15.05.2015.

6. Parties to act on an authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)