

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1367 OF 2016

Shilpa Yogesh Ingale

... Petitioner

Vs.

The State of Maharashtra & Ors.

... Respondents

Ms.Rohini Dandekar, Adv. Appointed for the Petitioner

Mr.H.J. Dedia, APP, for Respondent - State

CORAM: **SMT. V.K. TAHILRAMANI &
MRS.MRIDULA BHATKAR, JJ.**

DATE: **SEPTEMBER 14, 2016**

ORAL ORDER (PER SMT. V.K. TAHILRAMANI, J.):

1. The petitioner preferred an application for furlough on 17.3.2015. The said application was granted by order dated 25.6.2015. Pursuant to the said order, the petitioner was released on furlough for a period of 14 days i.e., from 16.7.2015 to 29.7.2015. On 25.7.2015, the petitioner preferred an application for extension of furlough for a period of 14 days. The said application was rejected and hence, this petition.

2. The petitioner preferred an application for extension for furlough relying on the medical certificate dated 24.7.2015 which showed that the petitioner was suffering from viral fever and arthritis since 24.7.2015. The medical certificate shows that she was advised rest for 15 days from 24.7.2015. The genuineness of the medical certificate is not doubted by

the prosecution. It is also an admitted fact that after the period of 14 days was over from 29.7.2015, the petitioner surrendered on her own to the prison i.e., after a period of 14 days from 29.7.2015.

3. The petitioner surrendered back to the prison on her own. The conduct and work of the petitioner in the prison has been satisfactory. Looking to all these facts especially the medical certificate dated 24.7.2015, we are of the opinion that on humanitarian ground, the furlough period ought to be extended by a period of 14 days. Accordingly, the furlough period is extended by a period of 14 days. Any prison punishment imposed on account of overstay is set aside. So also, if any security deposit is forfeited, the same be returned back to the petitioner.

4. Rule is made absolute in the above terms.

5. This order be communicated to the petitioner who is in Kolhapur Central Prison, Kalamba, Kolhapur.

(MRIDULA BHATKAR, J.)

(V.K. TAHILRAMANI, J.)