

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2482 OF 2015

Sunil Patalaji Bhosale

Petitioner

Versus

The State of Maharashtra

...Respondent

Ms Rohini Dandekar, Advocate appointed for the Petitioner.
Smt. V.R. Bhonsale, APP for the Respondent -State.

**CORAM: SMT. V.K. TAHILRAMANI &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 31st March, 2016.

ORAL ORDER [PER SMT. V.K. TAHILRAMANI, J.]:

Heard both sides.

2. Rule. By consent rule is made returnable forthwith.
3. The Petitioner preferred an application for furlough on 20.6.2014. The said application came to be rejected as six months period has not elapsed after the Petitioner had returned from his parole leave.
4. Rule 5 of the Rules relating to furlough and parole to prisoners, which is stated in the Maharashtra Prison Manual states

that ordinarily furlough should not be granted to a prisoner within a period of six months from the date of his return from parole. Thus, it is on account of Rule 5 and on account of the fact that the Petitioner when he was earlier released on parole did not report back to the prison in time and there was over stay of 60 days on the part of the Petitioner that the application of the Petitioner for furlough came to be rejected. However, it is seen that on 2.8.2014 the Petitioner was released on parole. Thereafter on 11.2.2016 the Petitioner has been released on parole for a period of 30 days. Looking to the fact that after he had preferred this application for furlough the Petitioner has been released twice on parole and looking to the reasons for rejecting the application for furlough we are not inclined to interfere. Hence, rule is discharged.

(SMT. ANUJA PRABHUDESSAI,J.) (SMT. V.K. TAHILRAMANI,J.)