

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

**CRIMINAL WRIT PETITION NO. 2654 OF 2015**

Asif Roshan Shaikh

.. Petitioner

v/s.

The State of Maharashtra .

..Respondents

Ms.Rohini Dandekar for the Petitioner.

Mr.H.J.Dedhia, APP for the Respondent/State.

**CORAM : SMT. V.K.TAHILRAMANI &  
SMT. ANUJA PRABHUDESSAI, JJ.  
DATED : APRIL 16, 2016.**

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

1. Rule. By consent of both sides, rule is made returnable forthwith.

2. The petitioner preferred an application for furlough. The said application came to be granted by order dated 2nd March, 2015. However, in the order granting furlough the petitioner was asked to furnish Personal Bond in the sum of Rs.15,000/-, Surety Deposit in

the sum of Rs.15,000/-, as well as surety of relative in the sum of Rs.15,000/-. The petitioner states that on account of his poor financial condition, he was unable to comply with these conditions in the order granting his application for furlough. Being aggrieved thereby, the petitioner preferred an application for reducing the said amount. However, the said application came to be rejected by order dated 5th April, 2015. Hence this petition.

3. It is seen that in the year 2011, the petitioner was granted furlough on Personal Bond of Rs.5000/-, surety deposit of Rs.5000/- and surety of relative in the sum of Rs.5000/-. Thereafter, in the year 2012 also the petitioner was granted furlough in the sum of 5000/- with two sureties in the sum of Rs.5000/-.

4. Though the petitioner has been in custody after his conviction for about 7 years, he has not been able to avail furlough till today on account of his poor financial condition. Looking to these facts, we are inclined to reduce the amount of personal bond, security deposit and the surety bond to the sum of Rs.5000/- each.

5. The petitioner be released on furlough on complying with these formalities and on usual terms and conditions as set out by the jail authorities.
6. Rule is made absolute in above terms.
7. Office to communicate this order to the prisoner who is undergoing sentence in Nashik Road Central Prison, Nashik.

**(ANUJA PRABHUDESSAI, J.)**

**(SMT. V.K.TAHILRAMANI, J.)**