

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

CRIMINAL WRIT PETITION NO. 2954 of 2015

Shivanand @ Pappu Arvind Dhepe ..Petitioner

v/s.

The State of Maharashtra . ..Respondents

Mrs. Nasreen S.K.Ayubi, Advocate appointed for the Petitioner.
Mr.H.J.Dedia, APP for the Respondent/State.

**CORAM : SMT. V.K.TAHILRAMANI &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED : APRIL 21, 2016.**

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

1. Rule. Rule made returnable forthwith.
2. The petitioner preferred an application for furlough. The said application came to be rejected. The appeal preferred against order of rejection was dismissed by order dated 28.11.2014. Hence this petition.
3. The application of the petitioner for furlough came to be rejected on the ground that earlier when the petitioner was released

on furlough on 24.11.2011, he did not surrender back in time and he was arrested by the police and brought back to the prison. Thereafter, the petitioner was granted temporary bail by this Court for a period of four weeks by order dated 14.8.2013. However, the petitioner did not surrender back to the prison after four weeks and he absconded. Ultimately, the petitioner was arrested by the police and brought back to the prison after 156 days. It was in view of these facts that it was apprehended that if the petitioner is released on furlough, he may abscond and not report back to the prison.

4. Looking to the history of the petitioner, we cannot say that the decision of the authorities is without any basis. There is ample material for the authorities to reach such a conclusion. Hence we are not inclined to interfere.

5. Rule is discharged.

(ANUJA PRABHUDESSAI, J.)

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