

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4147 OF 2015

Khurshid @ Mulani Harun Shaikh ... Petitioner

Vs.

The State of Maharashtra ... Respondent

Mr.Prosper D'souza, advocate appointed for the Petitioner
Mrs.U.V. Kejriwal, APP, for Respondent - State

**CORAM: SMT. V.K. TAHILRAMANI, ACT. C.J. &
MRS.MRIDULA BHATKAR, J.**

DATE: AUGUST 11, 2016

ORAL JUDGMENT (PER SMT. V.K. TAHILRAMANI, ACT. C.J.):

1. Heard both sides.
2. Rule. By consent, Rule is made returnable forthwith.
3. The petitioner has preferred an application for furlough on 23.2.2015. The said application came to be rejected by order dated 1.5.2015. Being aggrieved thereby, the petitioner preferred appeal. The said appeal came to be dismissed by order dated 25.8.2015, hence, this petition.
4. The application of the petitioner for furlough came to be rejected mainly on the ground that on the earlier occasion when the petitioner was released on furlough, he did not report back to prison in time. Ultimately,

the petitioner had to be traced and arrested by the police and brought back to the prison. In view of the conduct of the petitioner, when he was last released on furlough, it was apprehended by the authorities that if the petitioner is again released on furlough, he may not report back to the prison and he may abscond. Looking to the conduct of the petitioner, it cannot be said that this apprehension is without any basis. In this view of the matter, we are not inclined to interfere.

5. Rule is discharged.

6. Fees to be paid to the appointed advocate are quantified at Rs.2,500/-.

(MRIDULA BHATKAR, J.)

(ACTING CHIEF JUSTICE)