

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

CRIMINAL WRIT PETITION NO.4513 OF 2014

Nagesh Chanveergonda Patil ...Petitioner

Versus

The State of Maharashtra ...Respondent

Ms Nasreen Ayubi, Advocate appointed for the Petitioner.

Ms A.S. Pai, APP for the Respondent-State.

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

DATED: 17th March, 2016

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

Heard both sides.

2. Rule. By consent, rule is made returnable forthwith.
3. The grievance of the Petitioner is that whenever he applied for parole or furlough, the police authorities gave a stock report. It was stated in the said reports that (1) if the Petitioner is released, he may cause disturbance to public peace and tranquility, (2) if he is released, he may indulge in crime and (3) if he is released, there is danger to the life of the witnesses. The grievance of the Petitioner is that on account of this stock police report, his applications for parole/furlough were rejected. Due to such stock reports, he is under severe mental tension, hence, the

Petitioner has prayed that whenever an application for furlough or parole is preferred, such stock police reports should not be submitted and the report should be submitted as per the true facts and circumstances.

4. The learned A.P.P. has handed over a copy of Jail Chart. The said Jail Chart is taken on record and marked "X" for identification. On going through the record, we find that the grievance of the Petitioner has no basis because the Petitioner has been released earlier on three occasions on furlough i.e. from 17.2.2013 to 17.3.2013, 4.6.2014 to 2.7.2014 and 22.6.2015 and he surrendered on 2.7.2015. In addition to the fact that the Petitioner was released on furlough on three occasions, the Petitioner has also been released on parole on two occasions from 19.11.2011 to 17.2.2012 and 20.3.2012 to 17.6.2012.

5. Thus, it is seen that every year from the year 2011, the Petitioner has either been released on parole or furlough. From the above facts, it is clear that the Petitioner has been enjoying either parole or furlough every year.

6. In view of the above, we find that the aforesaid grievance of the Petitioner has been made without any basis, hence, the Petition is dismissed. Rule is discharged.

7. Legal fees of appointed Advocate be paid as per Rules.

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