

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5077 OF 2014

Amol Arun Ukrande

... Petitioner

Vs.

The State of Maharashtra

... Respondent

Ms.Rohini Dandekar, Advocate appointed for the Petitioner
Mrs.A.S. Pai, APP, for Respondent – State

CORAM: **SMT.V.K. TAHILRAMANI &
MRS.MRIDULA BHATKAR, JJ.**

DATE: **JUNE 9, 2016**

P.C.:

1. Heard Both the sides.
2. Rule. By consent, Rule is made returnable forthwith.
3. The petitioner preferred an application for furlough on 23.5.2013. The said application came to be rejected by order dated 4.10.2013. Being aggrieved thereby, the petitioner preferred an appeal. The said appeal came to be dismissed. Hence, this petition.
4. The application of the petitioner for furlough came to be rejected mainly on the ground that he was convicted in a case of kidnapping. By notification issued by Home Department dated 23.2.2012, Rule 4 of the Furlough and Parole Rules was amended and after sub-rule (10), sub-

rules 11 to 19 were added. Sub-rule (13) *inter alia* states that the prisoners convicted for offence of kidnapping shall not be entitled to furlough. The *vires* of the notification dated 23.2.2012 was raised in Criminal Writ Petition No.4034 of 2014. The said challenge was turned down and it was held that the notification was *intra vires*. The application of the present petitioner for furlough was rejected in view of Rule 4 (13). In this view of the matter, we are not inclined to interfere.

5. Rule is discharged.

(MRIDULA BHATKAR, J.)

(V.K. TAHILRAMANI, J.)