

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 481 OF 2016

(Mohammad Sharif Mohd. Ishaq Sheikh vs. The Superintendent, Central Prison, Nagpur & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.
OCTOBER 05, 2016.**

Heard Mrs. S.P. Giratkar, learned counsel (appointed) for the petitioner and Shri J.Y. Ghurde, learned APP for the respondents.

The matter is being considered since long.

Judgement of larger bench of the Hon'ble Apex Court in the case of *Dadu vs. State of Maharashtra*, reported at 2000 Cri. L.J. 4619, particularly paragraph Nos. 25 & 29 has been pointed out to show that the benefit of furlough leave cannot be extended to the present petitioner.

Not only this, the petitioner was absconding for over eight years. It is, however, stated that he surrendered thereafter voluntarily. The details of jail punishment, if any, inflicted upon the petitioner, are not record.

In this situation, without observing anything in this respect on merits and leaving the challenge to alleged jail punishment and absconding open, we dispose of the present petition.

The charges of counsel appointed for the petitioner are fixed at Rs.1,500/-.

JUDGE

JUDGE

CERTIFICATE

“I certify that this Order uploaded is a true and correct copy of original signed Order.”

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