

3. The authorities were earlier inclined to grant furlough to the petitioner. However, in view of the police report, it was apprehended that there would be danger to the life of the complainant Sayed Khan. The reason was that Sayed Khan is residing at Baigan Wadi, Mumbai - 400 043 and the petitioner's house is also situated in Mumbai - 400 043. In such case, it was apprehended that if the petitioner is released on furlough, there would be danger to the life of the complainant. In view of these facts, the authorities were inclined to release the petitioner on furlough but on the condition that during the period he is on furlough leave, he will reside 200 kms. away from the place of the incident. The petitioner expressed his inability to comply with the said condition, hence, his application for furlough was rejected by order dated 18/9/2014. The only ground for rejecting was that there would danger to the life of the complainant and as the petitioner was not willing to stay 200 kms. away, it would be dangerous to release the petitioner on furlough.

4. Learned Counsel for the petitioner, on instructions from the wife of the petitioner, who is present in the Court states that the married daughter of the petitioner i.e. Mrs. Sunita Rahul Doke is residing at Ozar, Nashik and if the petitioner is released on furlough, he will reside at his daughter's house at Ozar, Nashik. We have perused the nominal roll of the petitioner. It shows that the conduct of the petitioner in jail is satisfactory. Looking to all these facts, we are inclined to release the petitioner on furlough for a period of 14 days on the condition that during the period of furlough he will reside in Nashik and he will not enter Mumbai. The petitioner will furnish the surety of his son-in-law who is staying at Nashik. The petitioner shall report at nearest police station at Ozar, Nashik, every alternate day. In addition, the authorities may impose any reasonable conditions as deemed fit.

5. Rule is made absolute in above terms.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)