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WP-1826-2017 (sr.11)

Friday, 16.6.2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1826 OF 2017

Ashok Parshuram Yadav

.....Petitioner

V/s.

The State of Maharashtra

.....Respondent

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Mr. Prosper D'souza, Advocate appointed for the petitioner.

Mr. H.J. Dedia, APP for respondent, State.

**CORAM :- SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : 16 June, 2017.

ORAL JUDGMENT (Per : SMT. V.K. TAHILRAMANI, J) :-

1. Heard both sides.
2. The petitioner preferred an application for furlough on 12th October, 2016. The said Application was rejected by order dated 22nd December, 2016. Being aggrieved thereby, the petitioner preferred an appeal. The

said Appeal was dismissed by order dated 31st March, 2017, hence, this petition.

3. The application of the petitioner for furlough came to be rejected on the ground that, on 24th June, 2008 the petitioner was released on furlough for a period of 14 days. However, he did not report back to the prison in time. It is seen that, ultimately the petitioner had to be traced and arrested by the police and brought back to the prison. There was overstay of 907 days on the part of the petitioner.

4. In view of this fact, it is apprehended that, if the petitioner is released on furlough, he will not report back to the prison in time and he will 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 grant furlough. Rule is discharged.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)