

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2638 OF 2014

Mohammad Aslam Sahabjan
Ansari

...Petitioner

V/s.

The State of Maharashtra

....Respondent

Mr. Yashpal M. Thakur, Advocate appointed for the
petitioner.

Mrs. G.P. Mulekar, APP for the respondent, State.

CORAM :- SMT. V.K. TAHILRAMANI, &

SANDEEP K. SHINDE, JJ.

DATE :- 2ND AUGUST, 2017.

ORAL ORDER (PER :- SMT. V.K. TAHILRAMANI, J) :

1. Heard both sides.

2. Rule. By consent, Rule is made returnable
forthwith and the matter is heard finally.

3. The petitioner preferred an application for furlough. The said application was granted. Pursuant thereto, he was released on furlough on 23rd March, 2012 to 5th April, 2012 for a period of 14 days. The said period was thereafter extended for a further period of 14 days i.e. from 6th April, 2012 to 19th April, 2012.

4. In this petition, the petitioner has prayed that the security deposit of Rs.5,000/- which was forfeited be returned to him.

5. While releasing the petitioner on furlough, security deposit of Rs.5,000/- was obtained from him. As the furlough period of the petitioner was extended to 19th April, 2012, the petitioner was to report back to the prison on 20th April, 2012. However, there was delay of one day on his part in reporting back to the prison. Hence, his security deposit of Rs.5,000/- was forfeited.

6. In view of the averments made in the

application and looking to the fact that the petitioner has reported back to the prison on his own, though one day late, we are inclined to grant the prayer of the petitioner. Hence, the security deposit of the petitioner of Rs.5,000/- (Rs. Five Thousand only) which was forfeited be returned back to the petitioner.

7. Rule is made absolute in above terms. Office to communicate this order to the petitioner who is in Yerwada Central Prison, Pune.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)