

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3051 OF 2017

Sikandar Nizam Pinjari (Through Jail)		Petitioner
<i>Versus</i>		
The State of Maharashtra		Respondent

Ms. Rohini M. Dandekar, Appointed Advocate, for the Petitioner.

Mr. Arfan Sait, A.P.P., for the Respondent-State.

**CORAM : SMT. V.K. TAHILRAMANI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.**

DATE : 13TH SEPTEMBER, 2017.

ORAL JUDGMENT : [Per Smt. V.K. Tahilramani, J.]

1. Heard both sides.
2. The Petitioner preferred an application for furlough on 19th May 2016. The said application was rejected by order dated 7th February 2017. Being aggrieved thereby, the Petitioner preferred an Appeal. The Appeal was dismissed by order dated 26th May 2017; hence this Petition.

3. The application of the Petitioner for furlough came to be rejected mainly on the ground that he has been convicted under Section 376(2)(c) of IPC and as per the Notification dated 1st December 2015, the prisoners, who are seeking furlough and have been convicted for the offence of rape, are not entitled to be released on furlough.

4. As stated earlier, the Petitioner has been convicted for the offence under Section 376 of IPC. Hence, we cannot find any fault with the authorities for rejecting application of the Petitioner for furlough. Hence, no case is made out for interference. Petition is dismissed.

5. Rule is discharged.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[SMT. V.K. TAHILRAMANI, J.]