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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3383 OF 2017

Umesh Gajanan Patil

...Petitioner

vs.

The State of Maharashtra

...Respondent

.....

Ms. Rohini M. Dandekar, Advocate appointed for the petitioner.

Mrs. G.P. Mulekar, A.P.P. - State.

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**CORAM : SMT. V.K. TAHILRAMANI &
M.S.KARNIK, J.J.**

DATE : 10th October, 2017.

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

Heard both sides. The petitioner preferred an application for furlough on 26/11/2016. The said application was rejected by order dated 7/4/2017. Being aggrieved thereby the petitioner preferred an appeal. The appeal was dismissed by order dated 11/8/2017, hence this petition.

2. One of the reasons for rejecting the application of the petitioner for furlough is that he was convicted for the offence under

Section 376 of the Indian Penal Code i.e. rape. As per Notification dated 1st December, 2015, the prisoners who are convicted for the offence of "rape" are not eligible to be granted furlough. Hence, we cannot find any error in the order rejecting the application of the petitioner for furlough. Hence, no case is made out for interference. Rule is discharged.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)