

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL WRIT PETITION NO. 3759 OF 2017
(Through Jail)**

Vitthal Annappa Hubale

.. Petitioner

Vs.

The State of Maharashtra

.. Respondent

Mr. Prosper D'Souza, for the Petitioner.

Mr. Arfan Sait, APP for State.

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

12th OCTOBER, 2017

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

1. Heard both sides.

2. The petitioner preferred an application for furlough on 08/10/2016. The said application came to be rejected by order dated 07/10/2017. Being aggrieved thereby, the petitioner preferred an Appeal. The Appeal was dismissed by order dated 06/07/2017. Hence, this Petition.

3. The application of the petitioner for furlough came to be rejected on the ground that his Appeal is pending before the higher forum. The notification dated 26/08/2016 stipulates that if the Appeal of the prisoner is pending, he will not eligible to be released on furlough or parole. In view of this fact, we cannot find any error in the orders dated 07/02/2017 and 06/07/2017. Thus, no case is made out for any interference. Rule is discharged.

(M.S.KARNIK, J.)

(SMT. V.K.TAHILRAMANI, J.)