

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3776 OF 2017

Abdul Mukim Ansari	.. Petitioner
Vs.	
The State of Maharashtra	.. Respondent

Mrs.Nasreen S.K.Ayubi, for the Petitioner.
Mrs.G.P. Mulekar, 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 26/09/2016. The said application was rejected by order dated 17/02/2017. Being aggrieved thereby, the petitioner preferred an Appeal. The Appeal was dismissed by order dated 28/06/2017. Hence, this Petition.

3. The application of the petitioner for furlough came

be rejected on the ground that on 09/07/2004 when the petitioner was released on furlough for 14 days, he did not report back on the due date to the prison. The petitioner absconded. Thereafter he was traced by the police. The police arrested and brought him back to the prison on 02/08/2011. Thus, there was over stay of 2566 days on the part of the petitioner. On account of this fact, it was apprehended that if the petitioner is released on furlough, he will abscond and not report back to the prison. Looking to the conduct of the petitioner, it cannot be said that this apprehension is without any basis. In addition, it is seen that the conduct of the petitioner in the prison is also not satisfactory. He is not doing the work allotted to him. Looking of all these facts, we are of the opinion that no case is made out for interference. Rule is discharged.

4. Office to communicate this order to the petitioner who is in the Kolhapur Central Prison, Kalamba, Kolhapur.

(M.S.KARNIK, J.)

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