

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
**CRIMINAL WRIT PETITION NO. 3932 OF 2017**

|                          |               |
|--------------------------|---------------|
| Bandy Lahu Naik          | .. 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.**

**08<sup>th</sup> NOVEMBER, 2017**

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

1. Heard both sides.
  
2. The petitioner preferred an application for furlough on 16/11/21016. The said application was rejected by order dated 17/02/2017. Being aggrieved thereby, the petitioner preferred an Appeal. The Appeal came to be dismissed by order dated 07/07/2017. Hence, this Petition.

3. The said application came to be rejected in view of the notification dated 26/08/2016 which states that if any Appeal against the conviction is pending before the higher Court in which bail has not been granted by the said Court, furlough cannot be granted to the said prisoner. In view of the said rule, we cannot find any fault with the authorities for rejecting application of the petitioner of furlough.

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

**(M.S.KARNIK, J.)**

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