

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4539 OF 2017

Bapu Yashwant Sawant	.. 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.**

24th NOVEMBER, 2017

ORAL ORDER [PER SMT. V.K. TAHILRAMANI, J.] :

1. Heard both sides.

2. The petitioner preferred an application for furlough on 7.2.2017. The said application was rejected by order dated 6.5.2017. Being aggrieved thereby, the petitioner preferred an appeal. The appeal was dismissed by order dated 13.9.2017, hence, this petition.

3. One of the grounds for rejecting the application of the petitioner for furlough is that the appeal preferred by the petitioner against his conviction and sentence is pending before the High Court. By Notification dated 26.8.2016, it is provided that if the appeal preferred by the prisoner is pending before the higher forum and the prisoner has not been granted bail in the said matter, then such prisoner would not be entitled to be released on furlough. In view of the Notification which is in force, no case is made out for interference. Rule is discharged.

(M.S.KARNIK, J.)

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