

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4539 OF 2016**

Madhukar Nana Khade
Age : 56 yrs, Occ : Convict,
No. C.11841, lodged in
Yeravada Central Jail, Pune - 6

...Petitioner
(Prisoner)

Versus

State of Maharashtra,
Through

1-A) The ADG Police & Inspector General
of Prison, Maharashtra

2-B) The Deputy Inspector General,
(Prison), Western Region, Yeravada,
Pune-6

3-C) The Superintendent of
Yeravada Central Prison,
Pune - 6

...Respondents

Ms. Rohini Dandekar, appointed Advocate for the Petitioner

Mr. H. J. Dedia, A.P.P for the Respondents-State

**CORAM : SMT. V. K. TAHILRAMANI &
REVATI MOHITE DERE, JJ.
TUESDAY, 17th JANUARY, 2017**

ORAL JUDGMENT (Per Smt. V. K. Tahilramani, J.) :

1. Heard both sides.

2. The petitioner preferred an application for furlough on 28th April, 2016. The said application was rejected by order dated 6th August, 2016. Being aggrieved thereby, the petitioner preferred an appeal. The appeal was dismissed by order dated 5th October, 2016. Hence, this petition.

3. The application of the petitioner for furlough came to be rejected mainly on the ground that in the year 2001, when the petitioner was released on furlough for a period of 14 days, he did not report back to the prison after 14 days. Ultimately, the petitioner had to be traced and arrested by the police and brought back to the prison. There was overstay on the part of the petitioner for almost 10 years, to be more precise, 3188 days. In this view of the matter, it was apprehended by the authorities that if the petitioner is again released on furlough, he will abscond and will not report back to the prison in time.

4. Looking to the conduct of the petitioner, it cannot be

said that the apprehension of the authorities is without any basis. Hence, we are not inclined to interfere.

5. Rule is discharged.

(REVATI MOHITE DERE, J.)

(V. K. TAHILRAMANI, J.)