

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2146 OF 2018

Chand Singh Ajit Singh Kalyani	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. Ranjit Patil for Petitioner.
Mr. Arfan Sait - APP for the State.

**CORAM: SMT. V. K. TAHILRAMANI, Acting C. J. &
M. S. SONAK, J.**

DATE : 19 JULY 2018

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

1] Heard both the sides.

2] The prayer of the petitioner is to quash and set aside the punishment of 70 days imposed by the jail authorities on account of overstay of furlough of 14 days. The petitioner in paragraph 6 of the petition has stated that he was released on furlough by the prison authorities on 1st February 2006 and he was supposed to surrender to prison on 16th February 2006. Meanwhile as the health of his brother became serious, he applied for extension of furlough leave for 14 days on 14th February 2006. The said

application was rejected by the jail authorities on 14th February 2006 and punishment of cutting of remission of 70 days was imposed on the petitioner. Being aggrieved thereby, the petitioner has preferred the present petition.

3] In fact, the petitioner had earlier preferred criminal writ petition no. 2970 of 2009 against the punishment of forfeiture of his cash security of Rs.5,000/- and his remission of 70 days being cut. The cash security of Rs.5000/- was forfeited and remission of 70 days was cut on account of overstay of 14 days when he was released on furlough on 1st February 2006. This petition is in relation to the very same punishment. We may state that Writ Petition No. 2970 of 2009 came to be dismissed by this Court by order dated 25th February 2010, hence, it is now not possible to consider the prayer of the petitioner for quashing the punishment of cutting of remission of 70 days imposed on him.

4] We may state that the petitioner in this petition in paragraph 17 has stated that he has not filed any petition either in this Court or in the Supreme Court touching the subject matter of the present writ petition. We find that the

statement is totally incorrect and false and this conduct on the part of the petitioner is deprecated.

5] As stated earlier, the same prayer as was made in the present petition was earlier rejected by this Court by order dated 25th February 2010, hence, the petition is dismissed.

Rule is discharged.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

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