

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

CRIMINAL WRIT PETITION NO. 2670 OF 2015

Azizuddin Zahiruddin Shaikh

@ Abdul Sattar

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Manas Gawankar i/b. Ms Sharan Patole for Petitioner.

Mrs. G. P. Mulekar - APP for the State.

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

DATE : 02 AUGUST 2018

P.C. :

1] Heard both the sides.

2] The petitioner preferred an application for furlough on 31st July 2013. The said application was rejected by order dated 26th September 2013. Being aggrieved thereby, the petitioner preferred an appeal. The appeal was dismissed by order dated 6th February 2014. Hence, this petition.

3] The petitioner is seeking some directions in relation to his furlough in the year 2013/2014. Note 3 of Rule 3 of the

Prisons (Bombay Furlough and Parole) Rules, 1959 states that if at any time a prisoner who could have been granted furlough is either not granted or is refused the same the period for which he could have been granted the furlough shall not be carried forward but shall lapse. Thus, at this stage it is not possible to grant furlough for the year 2013.

4] Moreover, the record of the prisoner which has been produced by the jail authority shows that in the year 2014 the petitioner was released on parole for 60 days i.e. from 13th June 2014 to 13th August 2014. Thereafter, in the year 2017, the petitioner has been released on parole for a period of 60 days i.e. from 22nd May 2017 to 21st July 2017.

5] Looking to all the facts, we are not inclined to interfere, hence petition is disposed of.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

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