

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

CRIMINAL WRIT PETITION NO. 2699 OF 2017

Hirendra Puransingh Das
Versus
The State of Maharashtra

...Petitioner

...Respondent

Mr. Prosper D'souza for Petitioner.
Mrs. G. P. Mulekar - APP for State.

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

DATE : 02 AUGUST 2018

P.C. :

1] Heard both sides.

2] The petitioner has preferred an application for furlough on 18th April 2016. The said application was rejected by order dated 30th November 2016. Being aggrieved thereby, the petitioner preferred an appeal. The appeal came to be dismissed by order dated 17th January 2017. Hence, this petition.

3] The application of the petitioner for furlough came to be rejected on the ground that he is convicted for offence of rape. Rule 4(2) of the Prisons (Bombay Furlough and Parole) Rules, 1959 states that the prisoners who are convicted for offences under section 376 are not eligible to be granted furlough. In view of the said Rule, no error can be found in the order passed by the authorities, hence no case is made out for interference. Writ Petition is rejected.

4] Office to communicate this order to the petitioner who is in Nashik Road Central Prison, Nashik.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

CHANDKA

Sunita
Kishandas
Chandka

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Sunita Kishandas
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Date: 2018.08.03
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