

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

CRIMINAL WRIT PETITION NO. 4940 OF 2017

Ronald James Alvares	...Petitioner
Versus	
The Inspector General of Prisons & Ors.	...Respondents

Mr. D. G. Khamkar for Petitioner.
Mrs. G. P. Mulekar - APP for State - Respondents.

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

DATE : 07 JUNE 2018

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

1] Heard both sides.

2] The petitioner moved an application for furlough on 8th September 2015. The said application was rejected by order dated 22nd December 2016. Being aggrieved thereby, the petitioner preferred an appeal. The appeal was dismissed by order dated 19th April 2017, hence this petition.

3] The application of the petitioner for furlough has been rejected on many grounds. Two of the main grounds are

that in the year 2006 when he was released on parole, he did not report back to the prison in time and he had absconded. He was ultimately traced and arrested by the police and brought back to the prison in the year 2010. On this occasion there was overstay of 1115 days on the part of the petitioner. However even thereafter the petitioner was released in the year 2013 on parole, even on that occasion the petitioner did not report back to the prison in time and there was much delay on his part in reporting back to the prison. Thus, it appears that the petitioner is habitual in not reporting back to the prison in time. In view of the conduct of the petitioner, it is apprehended that if the petitioner is released on furlough, again he will not report back to the prison in time and he may also abscond.

4] Looking to the past conduct of the petitioner, it cannot be said that this apprehension is without any basis, hence we are not inclined to entertain this petition.

5] Rule is discharged.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)