

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 5278 OF 2017**

Kamru @ Javed Hanif Lala Khan	]
Age 39 years,	]
Convict No. C-7692, Nasik Road	]
Central Prison, Nasik,	]
Presently lodged in Yerawada	]
Central Prison, Pune, Class-I,	]
Pune-411006	].. Petitioner

Vs.

(1)	The State of Maharashtra	]
(2)	The Deputy Inspector	]
	General of Prison,	]
	Central Region,	]
	Aurangabad	]
(3)	The Superintendent,	]
	Nasik Road Central Prison	]
	Nasik.	].. Respondents

....

Ms. Rohini Dandekar Advocate appointed for Petitioner
Mr. Arfan Sait A.P.P. for the State

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**CORAM : SMT.V.K.TAHILRAMANI ACTING C.J.
AND M.S.KARNIK, J.**

DATED : JANUARY 24, 2018

ORAL JUDGMENT [PER SMT. V.K.TAHILRAMANI, ACJ.]:

1 Heard both sides.

2 The petitioner preferred an application for furlough which was granted by order dated 8.10.2015. Pursuant thereto, the petitioner was released on furlough on 17.10.2015 for a period of 14 days i.e. till 30.1.2015. On 23.10.2015, the petitioner preferred an application for extension of furlough. The said application was rejected, hence, this petition.

3 The order of rejection shows that when the petitioner was released on furlough on 17.10.2015, a condition was imposed on the petitioner of reporting to the police station. The order of release shows that the petitioner had to report everyday to Parksite Police Station, Vikhroli, Mumbai, however, during the 14 days period that he was on furlough, he did not report to the police station on 4 days. In addition, it is seen that after the petitioner was released on furlough on 17.10.2015, he was involved in an offence i.e. CR No. 451 of 2015 of Parksite Police Station. The said case is under Sections 323, 324, 504, 506(II) read with Section 34 of IPC. Thus, it is seen that the petitioner has flouted the conditions on which he was released on furlough, hence, application for extension of furlough was

rejected on 25.11.2015. Looking to the reasons on which the application of the petitioner for extension of furlough was rejected, we do not find that this is a fit case to interfere. Rule is discharged. Petition is dismissed.

M.S.KARNIK, J.

ACTING CHIEF JUSTICE

kandarkar