

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.1201/2017

Shakil Mohd. S/o Nasir Shaikh ..vs.. State of Maharashtra through D. I. G.
of Prisons, Nagpur and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. N. P. Meshram, Advocate for petitioner.
Mrs. M. H. Deshmukh, A.P.P. for respondents.

CORAM : P. N. DESHMUKH AND

M. G. GIRATKAR, JJ.

DATED : JUNE 14, 2018

Heard Mr. Meshram, learned counsel for the petitioner and Mrs. Deshmukh, learned A.P.P. for the respondents.

This petition is filed for grant of furlough for 28 days' period on the ground of illness of the petitioner's mother. The learned counsel for the petitioner fairly conceded that there is nothing on record filed establishing the illness of the petitioner's mother except for the statements in the petition and has tendered death certificate of the petitioner's father who is stated to have died on 31.3.2012 which document, on the face of it, as such cannot be considered in favour of the petitioner for the purpose of deciding the present petition.

According to the affidavit-in-reply, though the petitioner is earlier found to be released on furlough and parole respectively, he had surrendered late on two

occasions and was required to be brought back to the prison by arresting after lapse of 595 days.

In that view of the matter and in view of the law laid down in the case of **Murlidhar Ramchandra Bhalerao .Vs. State of Maharashtra & anr.;** reported in **ALL MR 2132**, the petitioner does not deserve any sympathy. The petition is therefore dismissed.

It is clarified that the competent authority, however, should not consider that this order as a bar to applicant to apply afresh for grant of furlough.

JUDGE

JUDGE