

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

WRIT PETITION NO.686 OF 2019

Premkumar Pappusing Ramlakhansing

...Petitioner

vs.

The State of Maharashtra

...Respondent

Ms. Indu Verma, Legal Aid Advocate for the Petitioner.

Mr. Arfan Sait, APP for the Respondent.

**CORAM : B. P. DHARMADHIKARI &
P. D. NAIK, JJ.
DATE :12/03/2019.**

P.C.:

. Learned APP states that though all precautions were taken on earlier occasion and the father himself was the guarantor, petitioner choose to abscond and with great difficulty was arrested and brought back. Punishment of forfeiture of remission has not been questioned by him.

2. This time we find that the guarantor is the father in law. The report of Superintendent of Police Mirjapur after local verification dated 9/11/2017 does not recommend release of petitioner on furlough.

3. Petitioner is seeking furlough. Learned counsel for the petitioner states that the Police Superintendent at Mirjapur has not pointed out any particular incident or wrong behavior on the part of the petitioner. Remission forfeited was of 1374 days in the year 2008.

4. If father and father in law are ready and willing to receive petitioner, we direct the petitioner and his relative to deposit amount of

Rs.20,000 with the Superintendent Kolhapur Central Prison to show their bonafide within a period of three weeks from today. Request of learned APP that amount should be paid to the State Government for reimbursement of expenditure incurred by it in proceeding to Mirjapur to arrest is kept open and shall be considered at appropriate juncture.

5. If said amount is deposited and appropriate bond undertaking to compensate the State if the petitioner again absconds in the sum of Rs. 25.000/- each are executed by the guarantors, after obtaining such bonds and subject to such other terms and conditions as shall be imposed including reporting at local police station at Mirjapur once in every week, the Petitioner shall be released on furlough as per law.

6. Application is accordingly partly allowed and disposed of.

(P.D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)