

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

CRIMINAL WRIT PETITION NO.651 OF 2018

Haresh Krishna Khandekar

.. Petitioner

Vs.

State of Maharashtra

.. Respondent

.....

None for the Petitioner.

Mrs.M.H. Mhatre, APP for the Respondent-State.

.....

**CORAM : B. P. DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.**

DATE : APRIL 01, 2019.

P.C.:

Letter sent by convict through jail is placed before us. We have perused papers with assistance of learned APP.

2 Learned APP points out order rejecting furlough passed on 10th November, 2017.

3 The order of Divisional Commissioner, Nashik, has been maintained in Appeal on 6th April, 2018.

4 Papers show that leave was sought on the ground of illness of wife and that proposal was submitted initially in

July 2017. Appellate Authority has given stale medical certificate, as one of the reasons.

5 We are considering the matter in April 2019 and certificate of ill health of wife is about two years old. The prisoner has not supplied any other certificate and has not pointed out the further developments in the matter.

6 We, therefore, find that present proceedings have become infructuous. We, however, grant him leave to move fresh application in accordance with law with necessary documents. If such application is moved within three weeks after the communication of this order to him in prison, the Competent Authority shall take decision upon, as per law within next six weeks.

7 With these observations and liberty, we dispose of present petition.

8 This order be communicate to the prisoner in jail.

(PRAKASH D. NAIK, J.)

(B.P. DHARMADHIKARI, J.)