

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1601 OF 2019

Dilip Ashok Jadhav

Petitioner

versus

The State of Maharashtra and others

Respondents

Ms.Harjeet Kaur for petitioner.

Mr.J.P.Yagnik, APP, for State.

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

DATE : 26th April 2019

PC :

1. The applicant has not been released either on parole or furlough till date after his conviction for offence under Sections 302 on 23rd April 2018. His furlough leave has been rejected on the ground that Sessions Case No.28 of 2016 under Sections 333, 353, 341, 342, 224, 225, 120B, 201, 34 of Indian Penal Code and Section 3(1) and 25 of Arms Act is pending against him.

2. We find that Sessions Case No.28 of 2016 has arisen out of Crime No.129 of 2014 registered at Police Station, Panhala. The order rejecting furlough leave passed on 19th January 2019 shows that police administration found his terror spread in the area.

3. As per learned APP, he has put in above 5 years, 9 months and 15 days in prison till 30th November 2018. We also find that in Sessions Case No.28 of 2016 he has been granted bail by Assistant

Sessions Judge-7, Kolhapur on 18th September 2017. We, therefore, find that interest of justice can be met with by restraining the petitioner from entering Kolhapur City, Panhala Police Station and Karveer Taluka jurisdiction, subject to his furnishing an independent surety for his timely return. Surety offered by him is found to be an accused in a matter at Police Station Karad in the year 2006. It is also mentioned in the impugned order that applicant is convicted in a matter which has arisen out of some political dispute.

4. In this situation we direct the applicant to execute appropriate bonds and undertaking thereby not to enter the jurisdictions of Kolhapur City, Panhala Police Station and Karveer Taluka so as to avoid any untoward incident. He shall also furnish another independent surety to the satisfaction of respondents for this purpose.

5. In his bond he shall give address at which he shall be available always during the period of furlough leave and shall report in police station having jurisdiction over that area, once in every two days.

6. The writ petition is partly allowed and disposed off.

(PRAKASH D. NAIK, J.)

(B.P.DHARMADHIKARI, J.)

MST