

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. WRIT PETITION NO. 1666 OF 2019

Anil Laxmichand Menda

....Petitioner

V/s.

The State of Maharashtra and Ors.

....Respondents

* * * *

Ms. Beerta H. Bajwa, Advocate for the petitioner.

Ms. M.H. Mhatre, APP for the State.

CORAM : B.P. DHARMADHIKARI, &

SANDEEP K. SHINDE, JJ.

Monday, 10th June, 2019.

P.C. :

1. Heard learned Counsel for the petitioner and learned APP for State.

2. It is not in dispute that, present petitioner was not absconding and has not reported late. Mention on these lines in Clause-5 of the impugned order dated 21st February, 2019, while refusing him furlough leave, therefore is

erroneous.

3. We find that Appeal therefore is required to be reconsidered.

4. We therefore quash and set aside the order dated 21st February, 2019 and restore it back to the file of Additional DIG. Fresh decision on Appeal shall be taken within four weeks from today.

5. Order be communicated to Prisoner in jail.

6. Petition is accordingly partly allowed and disposed of.

(B.P. DHARMADHIKHARI, J)

(SANDEEP K. SHINDE, J)