

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

WRIT PETITION NO.2637 OF 2019

Dhananjay @ Sonu Jaydrath Kakade

...Petitioner

vs.

The State of Maharashtra

...Respondent

Mr. Shashikant D. Chandak for the Petitioner.

Mr. H. J. Dedhia, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA S. JOSHI, JJ.
DATE : 22/07/2019.**

P.C.:

1. Heard respective counsel. By order dated 5/12/2018 the competent Authority rejected furlough leave to the petitioner on the ground of adverse police report. That order has been maintained in appeal on 22/3/2019.

2. Conviction is under section 302, 326, 504 and 506 r/w 34 of IPC.

3. Material on record does not show why there is adverse police report. Learned APP fairly pointed out from the records that some of the witnesses have already shifted to other places.

4. We do not wish to go into any disputed issue at this stage. It is not clear whether the petitioner has during trial attempted to influence any of the witnesses.

5. As such we quash and set aside the impugned order and direct competent Authority viz., Deputy I & G (prison), Central Region, Aurangabad to consider the request made by the petitioner in accordance with law within a period of 6 weeks from the date of receipt of this order by it. The petition is partly allowed and disposed of.

(MRS. SWAPNA S. JOSHI, J.)

(B. P. DHARMADHIKARI, J.)