

In Crime No.171 of 2012 with Police Station Vasai under Section 302 of Indian Penal Code prisoner has been sentenced to life imprisonment on 18th August, 2015. He was arrested on 31st July, 2012 and continued in jail during trial and thereafter, after conviction. Thus, he has never gone out of prison. Furlough leave applied for by him was rejected on 2nd April, 2019 and appeal against it has been dismissed on 23rd August, 2019. Reason adverse police report is sent by Fatehpur Police Station.

2. Copy of said report dated 16th February, 2019 by Police Superintendent Office, Janpath, Fatehpur is taken on record at Exh.A.
3. Facts at hand show that prisoner has not gone to Fatehpur atleast for past eight years. The finding or possibility of breach of peace recorded therein, therefore, is not substantiated. The Fatehpur Police has also mentioned that petitioner has not given requisite bond or guarantee.
4. In this situation, we permit petitioner to submit necessary bond through authorities at Fatehpur so that the authorities can thereafter re-apply their mind and consider whether petitioner can be permitted to come back to Fatehpur on furlough leave.
5. Petitioner to submit this bond undertaking of a competent surety within eight weeks from today.
6. With these directions, we dispose of this petition.
7. Order be communicated to prisoner in jail.

(N.R.BORKAR, J.)

(B. P. DHARMADHIKARI, J.)