

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 903 OF 2021

Satish Shankar Shinde
(C. No. 6325)

... Petitioner

Versus

The State of Maharashtra
and others

... Respondents

....

Mr. Ravindra Nirmal, Advocate for the Petitioner.

Mr. Rajendra V. Dasalkar, APP for Respondent No.1 / State

....

**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 29th SEPTEMBER, 2021

PER COURT:-

1. Heard finally with consent at admission stage.
2. The petitioner-convict came to be released on furlough on furnishing one surety. Initially, the petitioner-convict has given the name of the surety, which came to be rejected by the authority for the reason that the said surety is not eligible. It has been stated in the order while rejecting the proposal that the said surety is the old aged person.
3. The petitioner-convict has thereafter suggested the name of new surety i.e. Balaji Madhukar Kadam, Age-49, Occupation-

Agriculture, r/o Malegaon Vadgaon, Taluka Lohara. District Osmanabad. The petitioner-convict has also submitted all the relevant papers including Adhar Card, the 7/12 extract and *Namuna* no.8-A are placed before the Court. We have requested to the learned APP to take instructions in this regard.

4. We have carefully gone through the order dated 12.08.2021. It has been stated in the said order that the surety is of 65 years of age and as such, would not be able to control the activities of the petitioner-convict, if the petitioner-convict released on furlough. Since the petitioner-convict released on furlough by order dated 06.04.2021, there was no reason for the authority to consider again as to whether he is entitled to release on furlough or not. Accordingly, we direct the respondent to consider the new name of the surety as suggested by the petitioner-convict and pass appropriate order at the earliest, preferably within a period of two (2) weeks from today.

5. Writ petition is accordingly disposed of

[SHRIKANT D. KULKARNI]
JUDGE

[V. K. JADHAV]
JUDGE