

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

CRIMINAL WRIT PETITION NO. 2927 OF 2021

Sanjay S/o Tarasingh Thakur

...Petitioner

Versus

The State of Maharashtra
Through Superintendent of
Central Prison, Kolhapur, Kalamba.

...Respondent

...

Ms. Radha M. Mishra for Petitioner.
Mr. J.P. Yagnik, APP for State.

...

**CORAM : S. S. SHINDE &
N. J. JAMADAR, JJ.**

DATE : 15th SEPTEMBER, 2021.

P.C.:

1. Heard the learned counsel for the petitioner and Mr. Yagnik, the learned APP for State.

2. Learned counsel for the Petitioner submits that the application of the petitioner for emergency Covid-19 parole came to be rejected on the ground that in the year 2012, when the petitioner was released on furlough, an offence came to be registered against the petitioner, being C.R. No. 313/2012 for the offences punishable under Section 345, 323, 504 and 506 of the Penal Code.

3. We have perused the report submitted by Superintendent Kolhapur Central Prison, Kalamba. It appears that since year 2012, the petitioner has never been released on furlough. The learned counsel for the petitioner submits that the petitioner has, in fact, never applied for furlough since year 2012.

4. In the aforesaid circumstances, the learned counsel for the petitioner submits that the grievance of the petitioner would be satisfied if the authorities are directed to consider the prayer of the petitioner for furlough.

5. In the light of the fact that the period of almost 10 years has elapsed since last release of the petitioner on furlough, we deem it appropriate to grant liberty to the petitioner to make an application for furlough within a period of two weeks from today.

6. In the event such application is preferred, the authorities shall decide the same within a period of three weeks from the date of receipt of application.

7. We expect the authorities to keep in view the period of incarceration which the petitioner has already undergone (11 years,

4 months), while considering the prayer of the petitioner for release on furlough.

8. With the above observations, the petition stands disposed of.

(N. J. JAMADAR, J.)

(S. S. SHINDE, J.)