

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

CRIMINAL WRIT PETITION NO. 6562 OF 2021

Jitendra s/o. Fakirchand Rana ... Petitioner
V/s.
The State of Maharashtra and Ors. ... Respondents

Mr. Rupesh Jaiswal for the Petitioner
Ms. M.H. Mhatre, APP for the Respondent - State

***CORAM : NITIN JAMDAR &
N.R. BORKAR, JJ.***

DATE : 12 AUGUST 2022

P.C. :-

Heard the learned Counsel for the parties. The Petitioner is aggrieved by rejection of his application for furlough leave. The ground given in the application is that on 17 April 2020, a prisoner approached to the Jail guard with a match box to be given to the Petitioner and which match box was found containing Rs. 500/-. A penalty of forfeiture of 5 days remission was imposed on the Petitioner.

2. This order has been confirmed by the Appellate Authority.

3. The learned Counsel for the petitioner states that the Petitioner was thereafter released on Emergency (Covid-19) Parole

and has reported back diligently.

4. Considering the fact that the Petitioner has already penalized and that he has returned back after being released on emergency parole, the learned APP on instructions states that if the Petitioner makes an application, it will be considered afresh on its own merits without reference to the grounds given in the impugned order.

5. In the light of the stand taken by the learned APP, nothing survives in this Petition. It is open to the Petitioner to make a fresh application as above.

N.R. BORKAR, J.

NITIN JAMDAR, J.

JYOTI
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