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

CRIMINAL WRIT PETITION NO. 2206 OF 2022

Pranil s/o Rajendra Marathe ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

.....

Mr. Rupesh A. Jaiswal, for the Petitioner.

Mrs. A.S. Pai, PP for the Respondent -State.

.....

**CORAM : NITIN JAMDAR AND
ARUN R. PEDNEKER, JJ.**

DATED : 22 JULY, 2022

P.C. :-

Heard learned Counsel for the parties.

2. The Petitioner is aggrieved by the orders dated 10 February 2022 and 11 May 2022 rejecting the application of the Petitioner for furlough leave and dismissing the appeal.

3. The impugned orders refer to the adverse police report and the possibility of breach of peace, if the Petitioner is released. The police report is not placed before us. The orders

say nothing except this conclusion. The Petitioner has never been released on parole or furlough leave earlier. Whether the Petitioner could have been given the benefit of furlough by imposing conditions, we expected diligent consideration on this aspect, which is missing from the orders.

4. The learned PP states that if the matter is sent for reconsideration, the same will be decided within a period of four weeks from today.

5. The impugned orders are quashed and set aside. The application of the Petitioner be considered by the original authority afresh within a period of four weeks from today and its outcome be communicated to the Petitioner.

6. The writ petition is disposed of in above terms.

(ARUN R. PEDNEKER, J.)

(NITIN JAMDAR, J.)