

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL WRIT PETITION NO. 3095 OF 2022**

Sagar Ganesh Labade ... Petitioner

Versus

The State of Maharashtra and others ... Respondents

.....

None for the Petitioner.

Mrs. M.H. Mhatre, APP for the State.

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

**DATED :        26 AUGUST 2022**

**P.C. :-**

None for the Petitioner. We heard the learned APP.

2.            The Petitioner has challenged the orders rejecting his Application for furlough leave and the subsequent Appeal.

3.            The grounds of rejection are that there is an adverse police report stating that if the Petitioner is released, law and order situation may be created and surety furnished by the Petitioner of his niece is not satisfactory as she will not be able to take responsibility.

4. Both these aspects have been dealt in the judgment and order passed by this Court dated 19 August 2022 in Writ Petition No.204 of 2022 (Faruk Ahmed Shaikh v. State of Maharashtra and others) and connected Petitions. In light thereof, the impugned orders are quashed and set aside.

5. The Application of the Petitioner for furlough leave is restored to file to be examined by the authorities in light of the judgment and order in the case of Faruk Ahmed Shaikh and the circulars mentioned therein.

6. We make it clear that we have looked into only the two aspects, that is, adverse police report and unsatisfactory surety and not any other aspects and the application would be considered as per the rules and circulars.

7. The Writ Petition is disposed of in above terms.

( N.R. BORKAR, J. )

( NITIN JAMDAR, J. )