

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

1070 CRIMINAL WRIT PETITION NO.1097 OF 2023

RAJESH BHIKAJI GADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Amol Ratan Gaikwad.
APP for Respondent/State: Mrs. V. N. Patil-Jadhav.
...

CORAM : R. G. AVACHAT and
SANJAY A. DESHMUKH, JJ.

DATE : 04th November, 2023.

Per Court:

. Heard.

2 The learned counsel for petitioner waives prayer clauses (C) and (D).

3 The petitioner's application for grant of furlough has been turned down on account of he having overstayed for 159 days, while on Covid-19 period.

4 For the said overstay, a crime has been registered against him for the offence punishable under Section 224 of the Indian Penal Code. He may even suffer some other penal consequences.

5 The learned counsel for the petitioner further informs that

the petitioner was released on parole and furlough on five occasions and on each occasion, he returned back to jail within the stipulated time.

6 It is informed that the petitioner himself surrendered back to jail on 22nd May, 2022. In view of the same, we set aside the order refusing to grant the petitioner furlough of 28 days. We hereby direct the authority concerned to grant the petitioner furlough of 28 days on condition that during the period of furlough, he will mark his presence at Majalgaon Police Station every day between 09:00 pm to 10:00 pm.

7 The writ petition stands disposed of.

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]

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