

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1545 OF 2020****WITH****INTERIM APPLICATION NO. 3230 OF 2021**

Miraj @ Shahid Siraj Tamboli

... Petitioner/Applicant

V/s.

The State of Maharashtra

... Respondent

None for Petitioner/Applicant.

Mr.Ajay Patil, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 5th January 2023.****P.C. :**

1. The application for furlough leave by the Petitioner has been rejected by the Competent Authority by its Order dated 28th June 2019, which has been confirmed by the Appellate Authority by its impugned Order dated 4th February 2020. Petitioner is aggrieved by the said Order dated 4th February 2020 passed by the Appellate Authority.

2. Perusal of record indicates that, the application for furlough leave of the Petitioner has been rejected by the Competent Authority predominantly on the ground that, the Petitioner is not maintaining discipline in the jail; he was instigating other inmates against Jail Administration and is indulging into frequent quarrels/petty fights with other

inmates. That as the conduct of the Petitioner at Pune Central Prison was not within the conformity of the Rules and Regulations framed by the Jail Administration, he has been transferred to Kolhapur Central Prison under the Orders of the Deputy Inspector General of Prisons, Western Region dated 8th September 2018.

3. These are the grounds which have weighed in the mind of the Competent Authority and Appellate Authority while rejecting the application of the Applicant for furlough leave.

Perusal of record indicates that, the Competent Authority and Appellate Authority have not committed any error while passing the impugned Orders.

4. We find no merits in the Petition.

Petition is accordingly dismissed.

5. In view of disposal of Petition, Interim Application No. 3230 of 2021 pending therein does not survive and is accordingly disposed off.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]