

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1547 OF 2020**

Ganesh @ Baban Navnath Lashkare
V/s.

...Petitioner

The State Of Maharashtra And Ors.

...Respondents

Mr. Nikhil D. Patil, Appointed Advocate for Petitioner.

Mrs. S.D. Shinde, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 3rd MARCH, 2023.

PC.:-

. By the present Petition, Petitioner has impugned Orders dated 22.07.2019 passed by the Competent Authority rejecting his application for furlough leave and dated 11.02.2020 passed by the Appellate Authority confirming the Order passed by the Competent Authority.

2. Heard Mr. Patil, learned Advocate appointed to represent Petitioner and Mrs. Shinde, learned A.P.P. for the Respondent – State. Perused record and affidavit dated 15.02.2023 filed by the In-charge Superintendent of Yerwada Central Prison, Pune.

3. It is an admitted fact on record that, the Petitioner has been convicted under Sections 364(A), 363, 386 read with Section 120(B) and 34 of Indian Penal Code and is sentenced to undergo imprisonment for life by the trial Court.

4. Rule 4 (13) of the Prisons (Bombay Parole and Furlough) Rules, 1959 puts an embargo in releasing the convicts, who have been sentenced under Section 364(A) of Indian Penal Code to be released on furlough or parole leave. Both the Authorities below have taken into consideration the said important aspect while rejecting the application of Petitioner for furlough leave.

5. Perusal of impugned Orders indicates that, both the Authorities below have not committed any error while passing it.

6. In view of above, we find that, there are no merits in the Petition and is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)