

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5659 OF 2021**

Chandar Armogam Naykar @
Ganeshmani Kondram
V/s.

...Petitioner

The State Of Maharashtra

...Respondent

Mr. Arvind D. Aswani, Appointed Advocate for Petitioner.

Mrs. M.H.Mhatre, A.P.P. for the Respondent-State.

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

DATE : 22nd FEBRUARY 2023.

P.C.:-

. By the present Petition, Petitioner has impugned Orders dated 03.01.2020 passed by the Competent Authority and 10.08.2020 passed by the Appellate Authority rejecting his Application dated 30.12.2019 for furlough leave.

Record indicates that, when the Applicant was released on furlough leave in the year 2010 he absconded, was to be arrested by police and brought back to Jail after a lapse of 1124 days. That, during the said period of absconsion, Petitioner committed a crime bearing No.57 of 2014 under Sections 399 and 402 of Indian Penal Code and under Sections 3 & 25 of the Indian Arms Act registered with Karad City Police Station, Dist. Satara. That, while availing furlough leave in the year 2010, the Petitioner had

submitted forged and/or fabricated Medical Certificate of his mother. These are the precise reasons for rejection of application of Petitioner for furlough leave.

2. In view of the above, we find that, both the Authorities below have not committed any error while rejecting the Application of Petitioner dated 30.12.2019 for furlough leave.

3. Petition is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)