

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5604 OF 2021**

Subhash Pralhad Ghogre

...Petitioner

Versus

The State Of Maharashtra

...Respondent

Mr. Abbas Zaimul Mookhtiar appointed for Petitioner.

Mrs. S. D. Shinde, APP for Respondent-State.

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

DATE : 27th JANUARY, 2023.

P.C.:-

1. The furlough leave application of the Petitioner has been rejected by the Competent Authority by its Order dated 5th October 2019 and the said Order has been upheld by Appellate Authority by its Order dated 24th January 2020.

2. Perusal of record indicates that, when the Petitioner was released on parole leave in the year 2005, he did not return to jail within stipulated period and reported to be absconding. A crime bearing No. 55 of 2013 under Section 224 of Indian Penal Code was accordingly registered with Indapur Police station, District Pune. The Police subsequently arrested Petitioner and lodged him to Jail after lapse of 2926 days. It is the said factum which has weighed in the mind of both the Authorities below.

3. Perusal of the record and impugned Orders would indicate that, both the authorities below have not committed any error while rejecting the application of the Petitioner on the aforementioned ground. No case for interference with the Orders passed by both the Authorities is made out.

4. Petition is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)