

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.4014 OF 2022

Kesharinandan Sabhapati Upadhyay

Petitioner

versus

The State of Maharashtra

Respondent

Ms.Janhavi Karnik, appointed Advocate for Petitioner.

Mr.S.S.Hulke, APP, for State.

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

DATE : 20th February 2023

PC :

1. Heard Ms.Janhavi Karnik, learned advocate appointed to represent Petitioner and learned APP. Perused the record.
2. Petitioner is convicted under Sections 6 and 10 of Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer life imprisonment by Trial Court. Under Rule 4(21) of Prisons (Bombay Furlough and Parole) Rules, 1959 the convicts involved in sexual offences against minors and human trafficking, are not entitled for furlough leave.
3. The Competent Authority and the Appellate Authority have therefore rejected the application of Petitioner for furlough leave by its orders dated 27th August 2018 and 4th January 2019 respectively.

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Perusal of impugned orders would indicate that, both the authorities below have not committed any error in passing it.

4. We find no merit in the petition and it is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)

MST