

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3457 OF 2023**

Suresh Ganpat Pawar

... Petitioner

V/s.

The State of Maharashtra

... Respondent

Ms. Anandini Fernandes for Petitioner.

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

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 10th April 2024.****P.C. :**

1) By the present Petition received through jail, the Petitioner is seeking furlough leave for the year 2022.

2) Heard Ms.Fernandes , learned Advocate appointed to represent the Petitioner and Mr.Patil, learned A.P.P. for Respondent-State. Perused record.

3) It is an admitted fact on record that, when the Petitioner was released on parole leave in the year 2001, he did not report back to the jail Authority within stipulated period, he absconded and was to be arrested and brought back to the jail after a lapse of 173 days. On the second occasion i.e. in the year 2009, when the Petitioner was released on parole leave, he again

absconded and was to be arrested by the police and brought back to jail after a lapse of 1417 days i.e. more than three and half years.

4) According to us, therefore the conduct of the Petitioner does not make him entitle to be released on furlough or parole leave on this count alone. No sympathy can be shown to a person, who has no respect for the law and the rules framed thereunder.

5) In view thereof, we are of the considered opinion that, the Orders passed by the Competent Authority dated 31st January 2023 and by the Appellate Authority dated 24th April 2023 do not suffer from any infirmity in law and therefore do not require intervention by this Court.

6) Petition is accordingly dismissed in *limine*.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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