

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3359 OF 2024**

Sachin Suresh Gaikwad Through
His Brother Sandeep Suresh Gaikwad .. Petitioner

Versus

State Of Maharashtra And Anr. .. Respondents

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Mr. Arun Rajput a/w Mr. Viral Mukte, for the Petitioner.

Mr. J. P. Yagnik, A.P.P. for the State/Respondent.

Mr. Dilip D. Sonawane, Head Constable, Rabale Police Station,
Navi Mumbai, is present.

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**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 8th AUGUST, 2024

P.C:-

1. The Petitioner, convict who was confined to prison to undergo life imprisonment was arrested on 24.06.2011.

On being incarcerated, he was held entitled for availing the furlough leave from 01.07.2024 to 28.07.2024. He was supposed to surrender to Kolhapur Central Prison on expiry of the furlough leave, but he was required to be admitted in Sir J. J. Hospital for treatment. On the last date of hearing, we had asked Mr. Yagnik, the learned A.P.P. to

ascertain about his health condition by deputing a police official from the concerned Police Station and on such visit of Head Constable Mr. Dilip D. Sonawane from Rabale Police Station, it is reported to us that on 28.07.2024, the Petitioner was admitted in the hospital on complaining of left sided weakness since four to six hours.

He underwent the necessary tests through the Department of Radiology including the CT Brain Angiography, which reveal 'acute non hemorrhagic infarct' in the right temporary region and he received treatment in the said hospital. The necessary medical papers upon his admission on 28.07.2024 till 07.08.2024 are placed before us and we have no doubt in our mind that the Petitioner has received treatment in Sir. J. J. Hospital.

2. On 07.08.2024, it is informed that the Petitioner is discharged from the hospital, by prescribing the necessary medication and his visit to the OPD on Saturday with certain other instructions being imparted. He is also asked to have a follow up to Opthalm Department after six months and with the Neurology Department after one month. The photocopy of the medical papers are taken on record.

3. In the wake of the aforesaid, since the Petitioner remained under treatment on expiry of the period of his furlough leave, and he has been discharged on 07.08.2024 with an advice to follow up on Saturday, we deem it appropriate to extend the furlough leave availed by him till 14.08.2024.

The counsel for the Petitioner undertake that the Petitioner shall surrender in Kolhapur Central Prison, before 5.00 p.m. of 14.08.2024, alongwith all the necessary medical papers and since under the order of the Court we have granted extension, this period availed by him till 14.08.2024 shall be construed as duly sanctioned furlough leave.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)

CHAITANYA
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