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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2015 OF 2025

Rafiq Abdul Raheman Shaikh

..Petitioner

Vs.

The State Of Maharashtra & Ors.

..Respondents

Mr. Aniket Vagal for Petitioner.

Smt. Prajakta P. Shinde, APP for Respondent No.1-State.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 21st July, 2025.

PC.:-

1) Petitioner has impugned Order dated 31st March 2023 passed by the Appellate Authority i.e. Respondent No.3, confirming the Order dated 15th December 2022 passed by the Respondent No.2 i.e. the Competent Authority, rejecting his Application for furlough leave.

2) Heard Mr. Vagal, learned Advocate for the Petitioner and Smt. Shinde, learned APP for the Respondent No.1– State. Perused the entire record produced before us.

3) Shri Nagnath G. Sawant, Superintendent, Kolhapur Central Prison, Kolhapur, has filed Affidavit dated 14th July 2025. It is categorically averred therein that, the Petitioner was released on furlough leave on 23rd

January 2012 for fourteen days ; the said furlough leave was further extended by fourteen days by the Competent Authority and the Petitioner was supposed to surrender to Prison on 21st February 2012. The Petitioner did not surrender to the Prison Authority on due date and was to be arrested by the police and brought to the Prison after 2740 days, on 23rd August 2019. The impugned Order dated 31st March 2023 mentions that, when the Petitioner was reported to be absconded, during the said period he had concealed himself and by changing his identity and name was residing at Ratnagiri.

4) Perusal of the impugned Order clearly indicates that, it is passed after taking into consideration the various attending circumstances and the provisions of laws and rules framed thereunder. There is no error in the impugned orders.

4.1) In view of the above, we are not inclined to grant any relief to the Petitioner. We find no merits in the Petition and is accordingly dismissed.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)