

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

CRIMINAL WRIT PETITION NO. 2343 OF 2006

Ganpat Bhikaji Bamne ...Petitioner
Vs.
The State of Maharashtra ...Respondents

Ms. Sippy Patawari with Mr. Naveen Chomal for Petitioner
Mr. V.B. Kone Deshmukh, A.P.P for the State

**CORAM: SMT. ROSHAN DALVI,
(VACATION JUDGE)
DATED: 30TH OCTOBER, 2006**

P.C.

1. The Petitioner has been released on furlough leave on 14th October, 2006. He was required to surrender yesterday. He failed to surrender. He has filed this Petition today for extension of the furlough leave.
2. Applying for extension of furlough leave after it has expired and the Petitioner has not surrendered is an abuse of legal process as well as the facility of furlough leave granted to the convicts.
3. The Petitioner's application for extension is on the ground that his mother is suffering from uterus dysfunctional

bleeding and is advised surgery. The advise of surgery has been given on 19th October, 2006 soon after the Petitioner was released on furlough. The surgery is scheduled for 9th November, 2006. The Petitioner has accepted the time gap between the advise and the surgery. The Petitioner has not sought to have been his mother's surgery preponed or expedited. The Application therefore, lacks bonafides. The Petitioner's application for extension is refused. The Petitioner shall forthwith surrender.

4. The Petition is disposed of accordingly.

(SMT.ROSHAN DALVI, J.)