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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010406762026

+ **W.P.(CRL) 2636/2026 & CRL.M.A. 26732/2026**

AMIT KUMAR

.....Petitioner

Through: Mr. Vishesh Wasdhwa, Adv.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Sr. Adv. with Mr. Manoj Pant, APP, Mr. Abhinav Kumar Arya, Ms. Priyam Agarwal, Mr. Aryan Sachdeva, Advs.
SI Chetan Panwar PS Chhawla

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **31.08.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the petitioner, under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS') seeking the following reliefs:

- a. *Issue a writ or order in nature of Mandamus directing the respondent to release the petitioner on 1st spell of furlough for a period of 03 weeks: and*
 - b. *Pass any other orders, which this Hon'ble Court deems fit and proper in the interest of justice."*
3. Learned counsel for the petitioner submits that the petitioner is presently confined in Central Jail No. 2, Tihar, New Delhi and has undergone



incarceration for a substantial period. It is submitted that the petitioner has applied for grant of the first spell of furlough for a period of three weeks by way of an application dated 22.05.2026, which has not been decided by the competent authority till date.

4. Learned counsel for the petitioner further submits that the petitioner had been granted furlough on earlier occasions, including in the year 2019, and had not misused the liberty granted to him.

5. Issue notice.

6. Learned APP for the State accepts notice.

7. In view of the limited prayer made in the present petition and considering that the petitioner's application for grant of furlough dated 22.05.2026 is stated to be pending before the competent authority, the competent authority is directed to consider and decide the said application, in accordance with law and the applicable rules, within a period of two weeks from the date of receipt of this order.

8. It is clarified that this Court has not expressed any opinion on the merits of the petitioner's claim for grant of furlough, and the competent authority shall decide the application independently in accordance with law.

9. With the aforesaid directions, the present petition is disposed of. Pending application(s), if any, also stand disposed of.

10. The order be uploaded on the website *forthwith*.

MADHU JAIN, J

AUGUST 31, 2026/b/P