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

+ W.P.(CRL) 582/2016

RANA PRATAP SINGH

..... Petitioner

Through: Mr. Dhan Mohan, Advocate with
Ms. Tanu B. Mishra, Advocate

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Prashant Verma, CGSC with Mr.
Abhishek Khanna and Mr. Abhimanyu
Singh Khatri, Advocates for R-1
Mr. Rajesh Mahajan, ASC (Criminal)
with Ms. Parul Jamwal, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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23.02.2016

CRL.M.A.3257/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 582/2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) praying for a direction to the official respondent to release the petitioner on the first spell of furlough for a period of three weeks.

Counsel for the petitioner states that the petitioner applied to the Competent Authority of the respondent for grant of first spell of furlough by way of his application dated 05.01.2016. The said application has not been decided by the Competent Authority so far.

Notice.

Mr. Prashant Verma, learned Central Government Standing Counsel and Mr. Rajesh Mahajan, learned Additional Standing Counsel (Criminal) accepts notice on behalf of respondent Nos.1 and 2 respectively.

Mr. Prashant Verma, learned Standing Counsel appearing on behalf of respondent No.1, Director General (B.S.F.) states that they do not have the jurisdiction to determine an application seeking furlough.

Mr. Rajesh Mahajan, learned Additional Standing Counsel (Criminal) appearing on behalf of the Competent Authority [Director General (Prisons)] accepts notice and states that the representation filed on behalf of the petitioner seeking furlough pending before it shall be disposed of in accordance with law, within a period of seven working days from today, under intimation to the petitioner.

Directed accordingly.

In view of the foregoing, counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty to approach this Court in the event the application for furlough is not considered favourably.

Leave and liberty granted.

The writ petition is dismissed as withdrawn and disposed of accordingly.

A copy of this order be given *dasti* under the signature of Court Master to counsel for the parties.

SIDDHARTH MRIDUL, J

FEBRUARY 23, 2016

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