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

+ W.P.(CRL) 624/2016

SURAJ KUMAR THAKUR

..... Petitioner

Through: Advocate (appearance not given)

versus

THE STATE (GOVT OF NCT) DELHI

..... Respondent

Through: Mr. Sanjay Lao, A.S.C. for the State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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28.03.2016

1. This writ petition has been filed by the petitioner on rejection of his request for grant of furlough for a period of three weeks.
2. Learned counsel for the petitioner has submitted that the request of the petitioner has been rejected on the ground that he has not earned three consecutive Annual Good Remission.
3. Learned counsel for the petitioner has also drawn the attention of this Court to the order dated 30.11.2015 in W.P.(CRL) No.2600/2015 whereby he was ordered to be released on furlough for a period of two weeks from the date of his release.
4. Status report has been filed by Station House Officer, PS Patel Nagar and prayer for release of furlough has been opposed on the ground that due to his conduct the petitioner did not earn three consecutive Annual Good Remission and he has been awarded multiple punishments. It is further mentioned that the petitioner was granted furlough recently as ordered by this Court in W.P.(CRL) No.2600/2015.

5. Furlough cannot be claimed as a matter of right as prejudiced in this writ petition by making following prayer:

(a) Issue a Writ of Mandamus or any other Writ directing the respondents to release the petitioner on 1st spell of furlough of this year for a period of three weeks.

6. The request of the petitioner has been declined by the competent authority for the following reason:

As the convict has not yet earned three consecutive Annual Good Remission due to multiple punishments. The grant of furlough is contingent upon earning of 03 Annual Good Conduct Remissions which he has not earned.

7. Taking into consideration that the petitioner has availed furlough recently as well as the fact that he had received multiple punishments and was not found eligible to be released on furlough for the reason contained in the rejection order, I do not find any ground made out by the respondent for his released on furlough at this stage.

8. Writ petition is dismissed.

PRATIBHA RANI, J.

MARCH 28, 2016

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