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

+ W.P.(CRL) 658/2016 and CrI. MA No. 3628/2016

PAWAN KUMAR

..... Petitioner

Through

Mr. Dhan Mohan and Ms. Tanu B.
Mishra, Advocates

versus

THE STATE (GOVT OF NCT, DELHI)

..... Respondent

Through

Ms. Kamna Vohra, ASC (CrI.)
Insp. Darshan Lal, PS Anand Parbat

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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29.02.2016

CRL.M.A. No. 3628/2016 (Exemption)

Exemptions allowed subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 658/2016

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 in order to enable him to take care of his ailing mother.

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 2nd February, 2016. The said application has not been decided by the Competent Authority so far.

Notice.

Ms. Kamna Vohra, learned Additional Standing Counsel (Criminal) accepts notice on behalf of the official respondent and states that the

representation filed on behalf of the petitioner seeking first spell of furlough, which is pending consideration before the competent authority, shall be determined in accordance with law, within a period of five working days from today, under intimation to the petitioner.

Ordered accordingly.

In view of the foregoing, counsel appearing on behalf of the petitioner seeks leave to withdraw this petition at this stage with liberty to approach this Court afresh in the event he is aggrieved by the order passed by the competent authority.

Leave and liberty granted.

The petition is dismissed as withdrawn and disposed of accordingly.

A copy of this order be sent to the Jail Superintendent for necessary information and compliance.

SIDDHARTH MRIDUL, J

FEBRUARY 29, 2016

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