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

+ **W.P.(CRL) 479/2017**

TAHIR @ SAHIL

..... Petitioner

Through: Mr. Neeraj Bhardwaj & Ms. Pooja
Bhardwaj, Advocates.

versus

STATE

..... Respondent

Through: Mr. Sanjay Lao, ASC along with
Inspector Tej Ram & ASI Jaiveer, PS-
K. Khas, for the State.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
15.02.2017

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The petitioner has preferred the present writ petition to seek quashing of the order dated 16.01.2017, whereby the petitioner's application to seek first spell of furlough has been rejected. The reason for rejection of the said application is that the petitioner while on parole in the present case granted on 01.10.2013 by the GNCTD, jumped the same and was re-arrested on 08.12.2013 in another case at Haldwani, Uttarakhand.

Mr. Lao, who appears on advance notice, states that the petitioner already stands convicted in the other case, i.e. FIR No.322/2013 under Sections 380/ 411/ 454 IPC at PS – Ram Pur, Haldwani, Uttarakhand and

sentenced to two years imprisonment. The overall jail conduct was found unsatisfactory as he was punished on 21.03.2014. Three years have not elapsed since then and the petitioner has not earned 3 Annual Good Conduct Reports.

The petitioner's application to seek furlough was rightly rejected by the State. The petition is, accordingly, dismissed. It shall be open to the petitioner to make an application to seek furlough after expiry of three years from the date of imposition of punishment dated 21.03.2014, and if such an application is made, the same shall be considered on its own merits by the State.

The petition stands disposed of in the aforesaid terms.

A copy of this order be communicated to the petitioner through the Jail Superintendant.

VIPIN SANGHI, J

FEBRUARY 15, 2017

B.S. Rohella