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

+ W.P.(CRL) 1685/2019

GEETA

..... Petitioner

Through: Ms Sunita Arora, Advocate.

versus

STATE

..... Respondent

Through: SI Sandeep Kumar, PS Bindapur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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19.09.2019

1. The petitioner has filed the present petition, *inter alia*, praying that she be released on furlough for a period of three weeks. The petitioner states that she is required to assist her son for being enrolled in a college and, therefore, requests that she be released on furlough for a period of three weeks.

2. The Jail Authorities have furnished her nominal roll which indicates that the petitioner was punished with stoppage of canteen facility for three weeks on account of arguing and fighting with another inmate and misbehaving with jail staff on 25.10.2017. In terms of Rule 1223 of Delhi Prison Rules, 2018, reads as under:

“In order to be eligible to obtain furlough, the prisoner must fulfill the following criteria:-

I. Good conduct in the prison and should have earned rewards in last 3 Annual good conduct report and continues to maintain good conduct.

II. The prisoner should not be a habitual offender.

III. The prisoner should be a citizen of India.”

3. The petitioner does not qualify the aforesaid said criteria and, therefore, the decision of the respondent to deny her request for a furlough cannot be faulted. However, the punishment imposed on the petitioner does not come in her way to seek parole.

4. In view of the above, the present petition is disposed of with the direction that if the petitioner files an application for parole, the same would be considered by the Jail Authorities without further delay and within a period of two weeks of the application being filed.

VIBHU BAKHRU, J

SEPTEMBER 19, 2019
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