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

+ W.P.(CRL) 2507/2019

ANIL KUMAR

..... Petitioner

Through: Mr Anuj Kapoor, Advocate.

versus

STATE

..... Respondent

Through: Ms Shivani Sharma, Advocate for Ms
Richa Kapoor, ASC for State with SI
Naveen Kumar, PS Keshav Puram.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **06.09.2019**

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 20.08.2019 passed by the Director General of Prisons, informing the petitioner that his application for grant of furlough has been considered and had been deferred till the disposal of W.P.(Crl.) 2828/2019, which is pending before this Court.
2. The learned counsel appearing for the respondent submits that the reference to W.P.(Crl.) 2828/2018 is erroneous and the correct reference is W.P.(Crl.) 682/2019 captioned '*Chandra Kant Jha v. State of NCT of Delhi.*' She states that the petitioner had been sentenced to life imprisonment with a direction that he will not be considered for remission until he serves actual 20 years. She states that in this view, a question had arisen whether furlough can be granted to such prisoners who would be sentenced with the

express stipulation that remission shall not be granted. She states that this issue was heard and the judgment in this case *Chandra Kant Jha v. State (supra)* is reserved.

3. In view of the above, this Court finds no infirmity with the decision of the Director General of Prisons to await the decision in *Chandra Kant Jha v. State of NCT of Delhi (supra)* for considering the petitioner's application for furlough.

4. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

SEPTEMBER 06, 2019
MK