

\$~27

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

+ **W.P.(CRL) 1309/2018**

VISHAL

..... Petitioner

Represented by: Mr. Mayank Mikhail Mukherjee,
Adv. DHCLSC.

versus

STATE

..... Respondent

Represented by: Mr. R.S. Kundu, ASC with Mr.
Suman Saharan, Adv. with SI Satish
Kumar PS Kashmere Gate.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.01.2019

%

Petitioner applied for furlough which was rejected vide the order dated 11th April, 2018. Hence the petitioner preferred the present petition. The reason for rejection of furlough was that the petitioner was granted two weeks furlough with effect from 7th November, 2015 which he jumped and was re-arrested only on 12th February, 2016. Since there were no guidelines on this count, this Court had directed DG (Prisons) to file the reply affidavit indicating the parameters of conduct of prisoners considered at the time of granting furlough and furlough guidelines were also directed to be placed.

Learned Additional Standing Counsel for the State submits that Delhi Prisons Rule 2018 have come into force with effect from 1st January, 2019 which in detail deal with the Parole Furlough Guidelines and hence the **W.P.(CRL) 1309/2018**

page 1 of 2

petitioner would be now at liberty to file a fresh application which will be considered in accordance with Delhi Prisons Rule 2018.

Petition is thus disposed of granting liberty to the petitioner to file a fresh petition preferably after 12th February, 2019 when his three years period from the re-arrest from the furlough would be over. In case the petitioner applies for furlough, the competent authority will consider the same in accordance with the Delhi Prisons Rule 2018.

Copy of this order be communicated to the petitioner through Superintendent Tihar Jail.

MUKTA GUPTA, J.

JANUARY 17, 2019
‘ga’