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

+ W.P.(CRL) 3473/2018

SHAHID

..... Petitioner

Represented by: Ms.Saahila Lamba, Advocate

versus

STATE

..... Respondent

Represented by: Mr.Jamal Akhtar, Advocate for
Ms.Kamna Vohra, ASC for the State
with SI Dharmendra, PS Shahdara

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.01.2019

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1. By this petition, the petitioner had challenged the order of rejection of furlough by the Competent Authority on the ground that he was not eligible.
2. Since the petitioner had earlier been granted furlough, this Court had asked the Director General (Prisons) to file an affidavit.
3. An affidavit has been filed by the Director General (Prisons) according to which unlike parole, three years period must have been spent in custody after conviction before a prisoner becomes eligible for grant of furlough as a reward of good conduct.
4. learned counsel for the State submits that when the earlier petition seeking furlough came up before this Court, inadvertently this fact was not brought to the notice of this Court and hence this Court had granted furlough

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to the petitioner. But when the petitioner thereafter applied to the competent authority for grant of furlough the same was rejected for the reason according to the furlough guideline, petitioner was not be eligible for availing furlough.

5. In view of the affidavit of Director General (Prisons), no further orders are called for from this Court.

6. Petition is dismissed.

7. Copy of this order be conveyed to the petitioner through Superintendent, Mandoli Jail.

MUKTA GUPTA, J.

JANUARY 22, 2019

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