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

+ **W.P.(CRL) 3350/2019**

AAS MOHAMMAD

..... Petitioner

Through Mr. Archit Upadhayay, Advocates.

versus

STATE

..... Respondent

Through Mr. Amit Peswani, Adv. for Ms.
Nandita Rao, ASC.
SI Ajeet Kumar, PS. Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **29.01.2020**

1. The petitioner has filed the present petition impugning an order dated 04.11.2019 passed by the Superintendent, Central Jail, rejecting the petitioner's application for furlough on the ground that the petitioner's conduct has not been uniformly good for the past three years. The impugned order records that the petitioner was awarded punishments on 05.01.2017, 31.07.2017, 26.01.2019 and 30.03.2019 for breaching jail rules. Thus, in view of Rule 1224(III) of the Delhi Prison Rules, 2018 the petitioner's application was rejected.

2. The learned counsel appearing for the petitioner relies on the order dated 29.05.2019 passed by this Court in WP(Crl.) No.1599/2019 whereby the petitioner was directed to be released on parole. He relies on Paragraph No. 5 of the said order, whereby this Court observed that the petitioner

deserves a second chance.

3. Reference to the order dated 29.05.2019 is misplaced. The said order was passed in the context of petitioner's application for parole and not furlough. There is a qualitative difference in the nature of parole and furlough. Furlough is granted as a matter of reward for good conduct. Clearly, the petitioner is not entitled to the same if he fails to maintain jail discipline.

4. In view of the above, this Court finds no infirmity with the impugned order.

5. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

JANUARY 29, 2020
DR