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

+ **W.P.(CRL) 207/2020**

AJAY SINGH CHAUTALA

..... Petitioner

Through

Mr. Dhruv Sheoran, Mr. Archit
Upadhyay, Ms. Harshika Verma,
Mr. Akshay Chadha, Advs.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through

Mr. Rahul Mehra, Standing Counsel
(Crl.) with SI Bharat Lal, PS Tilak
Marg.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.01.2020

CRL.M.A. 1520/2020

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying for furlough for a period of three weeks from the date of his release.
4. Mr. Mehra, the learned Standing Counsel appearing for the State submits that the petitioner has not even applied for furlough and has directly approached this Court. He has handed over a copy of the nominal roll, which indicates that the petitioner's conduct in jail has been unsatisfactory.

He further submits that despite unsatisfactory conduct of the petitioner, he has been granted furlough on three occasions in the year 2019.

5. Although no averments in the petition have been made, the learned counsel appearing for the petitioner submits that the petitioner has been unable to apply for furlough, as his application is not being accepted.

6. Since the petitioner has not applied for furlough to the competent authority, this Court does not consider it apposite to entertain this petition. The same is, accordingly, dismissed.

7. However, it is directed that if an application is filed by the petitioner, the same would be accepted by the competent authority and dealt with in accordance with law.

8. Mr Mehra submits that even though the petitioner was not entitled to any furlough as per the Delhi Prison Rules, 2018 he has been released on furlough on various occasions. He submits that directions ought to be given for conducting an enquiry. In view of the above submission, the D.G.(Prison) is directed to enquire as to the manner furlough has been granted to the petitioner in the past and to ascertain whether the same has been granted contrary to the Rules in force. And, if so found, the respondent is directed to take such action as warranted.

VIBHU BAKHRU, J

JANUARY 23, 2020
DR