



\$~27

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

+ **W.P.(CRL) 62/2024**

RAJA RAM

..... Petitioner

Through: Mr. Himanshu Anand Gupta, Mr.
N.S. Arora, Mr. Ishwar Raj Chandra and Ms.
Navneet Kaur, Advocates

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Rahul Tyagi, ASC for State with
Ms. Priya Rai, Mr. Sangeet Sibou and Mr. Jatin,
Advocates along with Insp. Vijay Kumar, PS:
Mandawali.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

27.02.2024

%

1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking a direction to the Respondent to release the Petitioner on 1st spell of furlough for a period of 3 weeks.

2. The application for grant of furlough was filed by the Petitioner on 12.12.2023. Admittedly and concededly, no order was passed, however, learned counsel for the Petitioner states that the application has been returned back to him on the ground that the Petitioner is ineligible at this stage to apply for furlough.

3. Updated Status Report has been filed, however, the same is not on record. Copy of the updated status report has been handed over in Court and

W.P.(CRL) 62/2024

Page 1 of 2



is taken on record.

4. As forthcoming from the Status Report, reliance has been placed on Rule 1223 of the Delhi Prison Rules, 2018 ('DPR-2018') and it is stated that the Petitioner does not fulfil one of the eligibility conditions for grant of furlough inasmuch as he has not earned rewards in 3 Annual good conduct reports. Reliance is also placed on Rule 1224 of DPR-2018 to urge that in order to be eligible to obtain furlough, the prisoner must have been rearrested while absconding during the emergency parole. He further states that to the best of his knowledge, the condition of having obtained 3 awards in the Annual good conduct reports has never been pressed and nor this Court has, to the best of its knowledge, declined furlough on this ground.

5. Looking at the controversy that arises in this case, it would be appropriate, at this stage, to direct the Respondent to consider the application for grant of furlough of the Petitioner and pass a reasoned and speaking order within a period of two weeks from today.

6. The order will be communicated to the Petitioner, who shall be at liberty to lay a challenge to it, in accordance with law.

JYOTI SINGH, J

FEBRUARY 27, 2024/kks

W.P.(CRL) 62/2024

Page 2 of 2