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

+ **W.P.(CRL) 114/2024**

SONU DAHIYA

..... Petitioner

Through: Ms. Gayatri Nandwani, Ms. Mudita Sharda and Mr. Adrian Abbi,
Advocates

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Amol Sinha, ASC for the State along with Mr. Kshitiz Garg, Mr. Ashvini Kumar and Ms. Chavi Lazarus, Advocates and with Inspector Deepak Kumar and SI Lal Chand, P.S. Vasant Kunj, South.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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11.01.2024

CRL.M.A. 972/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking issuance of writ in the nature of mandamus directing the respondent to release the petitioner on 3rd spell of furlough for a period of two weeks.



4. Issue notice. Mr. Amol Sinha, learned Additional Standing Counsel (ASC) accepts notice on behalf of the State.
5. Learned counsel for the petitioner submits that petitioner's application seeking grant of furlough was rejected by the respondent on the ground that SLP filed by the petitioner against his conviction was pending before the Hon'ble Apex Court. It is stated that the said SLP now stands dismissed.
6. Considering the overall facts and circumstances of the case and the fact that SLP filed by the petitioner now stands dismissed, it is directed that the present Writ Petition be treated as a representation on behalf of the petitioner by the respondent/competent authority for the purpose of grant of furlough. The competent authority shall pass an appropriate order within two weeks from date of receipt of this order.
7. In view of the above, the present petition stands disposed of.
8. Copy of this order alongwith with present writ petition be forwarded to the concerned Jail Superintendent.
9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 11, 2024/zp

Click here to check corrigendum, if any