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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 167/2024
PRAMOD @ LANGRAPetitioner

Through: Mr.Kunal Malhotra, Adv.
(DHCLSC) with Mr.Himanshu
Kaushik & Mr.Ravinder Gaur,
Advs.

versus

STATE OF NCT OF DELHIRespondent
Through: Mr.Rahul Tyagi, Ms.Priya Rai,
Mr.Sangeet Sibou, Mr.Jatin &
Mr.Mathew M. Philip, Advs.
SI Rohit Chahar, PS Subhash
Place

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
28.03.2024

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1. This petition has been filed under Article 226 of the Constitution of India by the petitioner, who is undergoing sentence in FIR No. 80/2010 under Sections 302/458/460/411/379/511/34 of the Indian Penal Code, 1860 (in short, 'IPC') registered with Police Station: Saraswati Vihar, Delhi, praying to be released on furlough for a period of three weeks.
2. The above prayer of the petitioner was rejected by the Competent Authority, stating that the jail conduct of the petitioner has been unsatisfactory, and he has been imposed with multiple punishments for violation of the Delhi Prison Rules, 2018.
3. The learned counsel for the petitioner, drawing my reference to the Nominal Roll, submits that the punishments awarded to the



petitioner were till 15.04.2020; whereafter, the next punishment awarded was on 01.10.2023, which was in the form of a warning, which itself is a minor punishment. The said punishment was imposed on the allegation that the petitioner was caught smoking near the barracks. He submits that for the said offence, the petitioner should not be denied furlough, which is intended to be a measure given to the convict to establish and maintain social ties.

4. The petition is strongly opposed by the learned Additional Standing Counsel, who submits that the overall conduct of the petitioner in jail has to be considered in terms of Rule 1223 (I) of the Delhi Prison Rules, 2018. He submits that in his Nominal Roll, the overall conduct of the petitioner has been reported as unsatisfactory. He further submits that though minor, punishment has been awarded to the petitioner as recent as on 01.10.2023.

5. I have considered the submissions made by the learned counsels for the parties.

6. From the Nominal Roll, it is apparent that the petitioner has already undergone imprisonment for more than thirteen and a half years. He was released on Parole on 25.04.2021 and surrendered on 09.04.2023. The purpose of grant of furlough is for the convict to establish and maintain social ties. The conduct of the petitioner for the last one year, in spite of punishment dated 01.10.2023, has been reported as 'satisfactory'. His previous punishments date back to the latest one being on 15.04.2020.

7. Keeping in view the above, the petitioner is directed to be released on furlough for a period of three weeks from the date of his



release on furnishing a personal bond of Rs.10,000/- with one surety of like amount from the family, subject to the satisfaction of the Jail Superintendent and further subject to the following conditions:-

- i. The petitioner shall report to the SHO, Police Station-Saraswati Vihar, Delhi on every Saturday, physically.
 - ii. The petitioner shall also provide the SHO, Police Saraswati Vihar, Delhi with mobile number which shall be kept in working condition at all times and he shall not switch off or change the mobile number without prior intimation to the SHO concerned. The mobile location be kept on at all times.
 - iii. The petitioner shall not leave the National Capital Territory of Delhi during the period of furlough, without the prior permission of this Court.
 - iv. The petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.
 - v. The petitioner is directed to surrender before the jail authorities immediately upon the expiry of the period of furlough.
8. Copy of this order be sent to the Jail Superintendent for information and necessary compliance.
9. The petition is disposed of in terms of the above.

NAVIN CHAWLA, J

MARCH 28, 2024/rv/rp

[Click here to check corrigendum, if any](#)