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

+ W.P.(CRL) 279/2024
DALIP SINGH

..... Petitioner

Through: Mr. Jaydip Puri and
Mr. Rishi Malhotra,
Advocates.

versus

STATE (GOVT. OF NCT OF DELHI) Respondent
Through: Ms. Nandita Rao, ASC
(Crl.) with Mr. Jasraj
Singh Chhaora, Advocate
for the State alongwith
Inspector Darpan Singh.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
25.01.2024

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CRL. M.A. 2536/2024 (*exemption from filing certified and/or true typed copies of annexures which are dim and small font size without requisite line spacing*) **CRL. M.A 2538/2024** (*exemption from filing lengthy list of dates*)

1. Exemptions allowed subject to all just exceptions.
2. The applications stand disposed of.

W.P.(CRL) 279/2024 & CRL. M.A. 2537/2024 (*seeking extension of stay of surrendering*)

3. The present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, seeking directions that the case of the petitioner be considered for premature release under the policy dated 16.07.2004.
4. Issue notice. The learned Additional Standing Counsel



(ASC) accepts notice on behalf of the State.

5. The learned ASC for the State submits that apart from the policy dated 16.07.2004, there have been subsequent policies also, and the one which is more beneficial to the convict is made applicable. She submits that the petitioner's application will be considered in terms of the policy in vogue.

6. The ASC for the State submits that the petitioner's application was last considered in the month of June, 2023 and the petitioner is eligible to be considered again, since six months have lapsed.

7. In view of the above, this Court does not consider it apposite to pass any order at this stage. The respondent-authorities are expected to pass a reasoned order within a period of four weeks from today.

8. The petitioner was granted furlough by the jail authorities on 08.01.2024, which expires on 30.01.2024. The petitioner has filed CRL.M.A. 2537/2024 seeking extension of furlough. The learned counsel for the petitioner request for the grant of two weeks time to surrender.

9. Insofar as the prayer for extension of furlough is concerned, the same, in view of this Court, is not maintainable and cannot be granted. The furlough was granted to the petitioner on his application categorically mentioning that he shall surrender on or before 30.01.2024.

10. The petitioner is entitled to have his case considered in terms of the policy for premature release, but the same does not entitle him for extension of furlough. The application (CRL.M.A. 2537/2024), is rejected.

11. In view of the above, no further orders are required to be passed.



12. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

JANUARY 25, 2024/*ssc*