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

+ **W.P.(CRL) 408/2024**

AMAN SHARMA

.....Petitioner

Through: **Mr. Anup Kr. Das, Mr. Ashish
Sareen, Advs.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Rahul Tyagi, ASC, Mr. Sangeet
Sibou, Ms. Priya Rai, Mr. Anikate,
Advs.
ASI Mahesh Pratap, PS Janak Puri**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

19.11.2024

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1. This is a petition filed under Section 226 of the Constitution of India with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of Order dated 15.01.2024 passed by the Competent Authority, Tihar Prison, Delhi and directing the respondent to release the petitioner on 1st spell of furlough for a period of 21 days.
2. The said impugned order dated 15.01.2024 is predicated on the fact that the petitioner had been awarded punishment on 07.09.2021 for recovery of prohibited article inside the jail and hence, the petitioner did not have 3 annual good conduct report as per paragraphs 1223(i) of the Delhi Prison Rules, 2018.
3. In W.P.(CRL) 404/2024, I have already quashed the punishment



ticket dated 07.09.2021, hence, the impugned order dated 15.01.2024 becomes infructuous.

4. In addition, as per the status report dated 07.03.2024, there was no other punishment awarded to the petitioner. The appellant is in custody for about 12 years and seeks grant of furlough for establishing social ties and meet his grandmother who is supposed to be ill.

5. For the said reasons, the petition is allowed and the petitioner is directed to be released on furlough for a period of three weeks from the date of his release, on furnishing one surety of Rs. 10,000/- each to the satisfaction of the concerned Jail Superintendent, subject to the following conditions:

- i) During the period the petitioner remains out on furlough, he will remain at his residence and shall report to the SHO of the concerned Police Station on every Saturday at 12:00.
 - ii) The petitioner shall also provide to the concerned SHO with mobile telephone number which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the SHO concerned.
 - iv) The petitioner is directed to surrender before the jail authorities at the expiry of the period of furlough.
6. The petition is disposed of in terms of the above.

JASMEET SINGH, J

NOVEMBER 19, 2024/NG

Click here to check corrigendum, if any