



\$~50

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

+ **W.P.(CRL) 603/2024**

RAM DHAWAN @ RAM DEV

..... Petitioner

Through: Mr. Neeraj Kumar, Adv. (DHCLSC).

versus

STATE OF NCT DELHI

..... Respondent

Through: Mr. Amol Sinha, ASC for State with
Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Ms. Chavi Lazarus and Mr.
Arjun Singh Kadian, Advs. with SI
Yamini Vats, PS. Patel Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

04.03.2024

%

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking direction to the respondent to release the petitioner on furlough for a period of three weeks in connection with FIR No.543/2005 under Sections 376/506 IPC registered at Police Station Patel Nagar.
2. The learned counsel for the petitioner invites the attention of the Court to the impugned order dated 15.01.2024 to contend that the application of the petitioner for grant of furlough has been rejected on the ground that the nature of crime committed by him is serious, as well as, his residential address could not be verified due to non-availability of police report.
3. Notice was issued in the present matter on 21.02.2024 with a direction



to the State to file its Status Report. The Status Report has been filed by the State, the same is on record.

4. In so far as the seriousness of the offence is concerned, the same is not in doubt but at the same time it cannot be overlooked the petitioner has been in custody for more than 18 years and is aged about 63 years. A prisoner is entitled to grant of furlough in terms of Rule 1220 of the Delhi Prison Rules, 2018 and he could be denied the grant of furlough only for the reasons mentioned in Rule 1224 of the said Rules. The seriousness of the offence is not a ground for rejecting the grant of furlough.

5. In regard to the address of the petitioner, it is mentioned in the Status Report that the I.O visited the house of the petitioner and met the wife, his son, as well as, daughter-in-law of the petitioner and verified that the address given by the petitioner is permanent address. The statement of the family members of the petitioners have been recorded by the I.O and the same are part of the Status Report.

6. In view of the above, the petition is allowed and the respondent is directed to grant furlough to the petitioner for a period of three weeks, subject to his furnishing a Personal Bond in the sum of Rs. 5,000/- to the satisfaction of the Jail Superintendent, further subject to the following conditions:-

- a) Petitioner shall not leave Delhi without prior permission of the Court.
- b) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- c) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change



the mobile number without prior intimation to the Investigating Officer concerned.

d) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.

7. The petition stands disposed of.
8. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
9. It is made clear that acceptance of bail bond of the petitioner will not be delayed unnecessarily.
10. Order *dasti* under signatures of the Court Master.
11. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

MARCH 4, 2024/dss