



\$~2

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

+ **W.P.(CRL) 651/2024**

KRISHAN KUMAR MALIK

..... Petitioner

Through **Mr. Siddharth Yadav, Adv.**

versus

STATE (NCT OF DELHI)

..... Respondent

Through **Mr. Sanjeev Bhandari, ASC for the
State with SI Ravi Saini Crime
Branch**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **01.07.2024**

1. The present Writ Petition has been filed under Article 226 read with Section 482 of the C.r.P.C for quashing of Order dated 09.02.2024 bearing No.F.18/88/2023/HG/362-63 issued by the respondent denying the Bail and for a parole of a period of 60 days is sought by the petitioner.
2. It is submitted that the furlough is required for the purpose of preparing an SLP to challenge the conviction and the sentence upheld by this Court in CrI.M.A.444/2018 on 26.06.2023.
3. The Petition is opposed by the learned ASC on behalf of the respondent wherein, it is submitted that a furlough of 3 weeks was granted to the petitioner in October, 2023 and a second furlough has been availed by him for 3 weeks in May, 2024 i.e. after the impugned Order dated 09.02.2024. Even if it is accepted that the first furlough was on account of the demise of the brother, it did not prevent him from making efforts to engage a counsel. Moreover another 3 weeks have already been availed in



May, 2024. The impugned order records fairly that the only ground given for furlough is that he wants to engage a counsel for the SLP for which free legal aid is available to the petitioner.

4. Considering that 2 furloughs, after the appeal was dismissed by the Court, have already been availed by the petitioner and also that free legal aid is available to the petitioner in case he wants to file an SLP and further merely because he is confined to jail does not prevent him from engaging a private counsel to get the SLP prepared. This Court finds no merit in the present petition which is hereby dismissed.

NEENA BANSAL KRISHNA, J

JULY 1, 2024/PT