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

+ **W.P.(CRL) 685/2024**

ROHIT

..... Petitioner

Through: Mr.Siddharth Yadav, Adv

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Jasraj Singh Chhabra, Adv
for Ms.Nandita Rao, ASC (Crl.)
with Insp. Dharmender Kumar.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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28.02.2024

CRL.M.A. 6391/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure Code, 1973 praying for a direction to the respondent to release the petitioner for the third spell of Furlough for a period of two weeks in FIR No.269/2014 registered at Police Station: Jahangirpuri under Sections 302/341/323/34 of the Indian Penal Code, 1860.

3. The learned counsel for the petitioner submits that the *Shuddhi Pooja* of the brother of the petitioner, who unfortunately expired on 30.01.24, is scheduled to be performed on 08.03.2024 (*wrongly typed as 08.03.2023 in the petition*). He submits that the petitioner has filed



an application seeking release on Furlough on 20.02.2024, which has not been decided till date.

4. Issue notice.
5. Notice is accepted by Mr.Jasraj Singh Chhabra, Advocate on behalf of Ms.Nandita Rao, the learned ASC (CrI.).
6. Keeping in view the averments made in the petition, the respondent is directed to decide on the application of the petitioner filed on 20.02.2024, seeking release on Furlough, on or before 04.03.2024 and communicate the decision thereof to the petitioner. In case the decision of the respondent is adverse to the interest of the petitioner, it shall be open to the petitioner to challenge the same in accordance with the law.
7. The petition is disposed of in the above terms.
8. Copy of this order be sent to the concerned Jail Superintendent for information and necessary compliance.
9. *Dasti.*

NAVIN CHAWLA, J

FEBRUARY 28, 2024/Arya/am

Click here to check corrigendum, if any