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

+ **W.P.(CRL) 711/2024**

DEEPAK @ PETA

.....Petitioner

Through: Mr. Puneet Khurana with
Mr. Bharat Khurana,
Advs.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Amol Sinha, (ASC
Criminal for the State)
along with Kshitiz Garg &
Ms. Chavi Lazarus, Advs.
SI Mayank Istwal, PS
Kalyanpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

07.11.2024

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1. The petitioner seeks first spell of furlough. Petitioner's application seeking furlough was rejected by order dated 15.01.2024 on the ground that he has not maintained a good conduct inside the jail.
2. The nominal roll indicates that the petitioner was punished lastly on 30.07.2023 for consuming drugs. In terms of Rule 1223(I) of the Delhi Prisons Rules, 2018, a prisoner is not entitled for being released on furlough unless he is found to be maintaining good conduct for last three years.
3. This Court by order dated 01.10.2024 had asked the concerned officer to file an affidavit explaining as to how the drugs have been smuggled inside the prison which were ultimately consumed by the petitioner.
4. An affidavit has been filed. It is mentioned that the sanctioned capacity of the jail is 10026 prisoners, however,



currently 19612 prisoners have been lodged. It is stated that the jail inmates have been found on different occasions to have used desperate / igneous ways to smuggle prohibited articles inside the jail such as hiding such articles in body cavities.

5. A chart has also been mentioned in the affidavit pointing out that the action is also taken against the officers from time to time who were found to be involved in such activities like smuggling of prohibited articles inside the jail.

6. Status report has also been filed by the State. It is pointed out that application seeking furlough was filed by the petitioner on the ground that the petitioner has to take care of his parents, whereas the petitioner was in fact convicted for committing murder of his father. The statement of his mother was also recorded and she raised strong apprehension that the petitioner, if released, would kill her also.

7. Considering the above, this Court finds no merit in the present petition.

8. The petition is, therefore, dismissed.

AMIT MAHAJAN, J

NOVEMBER 7, 2024

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