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

+ **W.P.(CRL) 722/2024**

PURAN SINGH @ VIPIN

..... Petitioner

Through: **Mr. Siddharth Yadav, Advocate**

versus

STATE (NCT OF DELHI)

..... Respondent

Through: **Mr. Sanjeev Bhandari, ASC (CrI.)**
with **Ms. Anvita Bhandari, Mr. Kunal Mittal and**
Mr. Arjit Sharma, Advocates for State along with
SI Shivam Sharma, PS: Preet Vihar.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

01.03.2024

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CRL.M.A. 6777/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been filed on behalf of the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for issuance of writ in the nature of *mandamus*, seeking directions to the Respondent to grant 3rd spell of furlough to the Petitioner for a period of two weeks, in case FIR No.569/2000 under Sections 364-A/34 IPC registered at PS: Preet Vihar.
4. This is a second round of litigation on behalf of the Petitioner. Earlier, the Petitioner had approached this Court in W.P.(CRL.) 377/2024, seeking



furlough for a period of two weeks on account of the birthday of his minor son and to re-establish social and family ties. Petitioner was convicted and sentenced to life imprisonment on 20.03.2012 and his appeal being Crl. A. No.614/2012 challenging the conviction and order on sentence was dismissed by this Court on 21.08.2014.

5. By a detailed judgment dated 08.02.2024, this Court had dismissed the petition, as the Petitioner was ineligible for the grant of furlough since the gap between the present application and the date of surrender after availing the previous furlough was less than one month and the Standing Order No.01/2019 was an impediment in his way for grant of furlough. However, it was brought to the notice of the Court that paragraph 13 of the said Standing Order itself provides for relaxation of the one month gap period and the discretion of the Competent Authority on the conditions mentioned therein. Since the application of the Petitioner was pending consideration, Court had directed the Competent Authority to decide the application dated 13.01.2024 within two weeks from the date of the order, i.e. 08.02.2024. Petitioner was compelled to file the present petition as the application filed by him for grant of furlough is still pending consideration before the Competent Authority, despite directions given by this Court.

6. Issue notice.

7. Learned ASC accepts notice on behalf of the State and on instructions, assures the Court that the pending application of the Petitioner for grant of furlough shall be decided by the Competent Authority positively within a period of one week from today, if not already decided.

8. Present petition is, therefore, disposed of taking the assurance of the Respondent on record that the application will be decided within one week



from today. Needless to state that the order passed by the Competent Authority would be a reasoned and speaking order and shall be communicated to the Petitioner within two days from the date the order is passed. Petitioner is at liberty to take recourse to remedies available in law in case of any surviving grievance.

JYOTI SINGH, J

MARCH 01, 2024/kks/KA