



\$~12

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

+ **W.P.(CRL) 845/2024**

DINESH SHARMA

.....Petitioner

Through: **Mr. Sidharth Yadav, Adv.**

versus

STATE (NCT OF DELHI)

.....Respondent

Through: **Mr. Yasir Rauf Ansari, ASC for the
State with SI Anshul PS Dwarka
North**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **21.08.2024**

1. The present Petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for grant of the third spell of Furlough to the petitioner in FIR No. 387/2014 registered under Sections 365/376D/392/506/34 OF IPC at PS. Dwarka North.

2. The Application for grant of Furlough has been declined vide Order dated 04.03.2024. Hence, the present Petition has been filed.

The Status Report has been filed on behalf of the State wherein it is submitted that the verification has done of the address of the petitioner and it has been found that Smt. Usha, the mother of the petitioner is constructing the house on plot No. 1278, near Krishna Mandir, Najafgarh, Delhi for the petitioner. It has also been found that the lanterns of two floors have been completed and the house is under construction.

3. Submissions heard.

4. The Furlough had been declined *vide* Order dated 04.03.2024 on the



ground that there has to be atleast one month gap between the Parole and the last Furlough and vice versa in terms of Rule 1212, Delhi Prison Rules, 2018.

5. In view of the submissions made, it is considered appropriate to grant the Furlough to the petitioner for a period of three weeks. This Court directs that the petitioner be released on first spell of furlough for a period of three weeks, on the following terms and conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
 - ii. The petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM during the period of furlough.
 - iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted if required. The said telephone number shall be kept active and operational at all the times by the petitioner.
 - iv. The petitioner shall ordinarily reside at the address mentioned in the petition.
 - v. Immediately upon the expiry of period of furlough, the petitioner shall surrender before the Jail Superintendent.
 - vi. The period of furlough shall be counted from the day when the petitioner is released from jail.
6. The petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 21, 2024/PT