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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2184/2024

ANJU @ SONIA @ BABY

.....Petitioner

Through: Mr.Avneesh Saran, Advocate

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms.Rupali Bandhopadhyaya, ASC for
State with Mr.Abhijeet and Mr.Sagar, Advocates
with Insp.Love Atrey and SI Anil Kumar

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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02.08.2024

1. By way of present petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the petitioner seeks grant of furlough for a period of two weeks in FIR No.69/2007 registered under Sections 364/365/392/328/302/120B IPC at PS M.S. Park, Delhi.
2. Learned counsel for the petitioner submits that vide communication dated 13.06.2024 issued from the office of Director General of Prisons, Prison Headquarters, Tihar, Janak Puri, New Delhi, the petitioner's application for being released on furlough was rejected only on the ground that she does not have 03 Annual Good Conduct Reports in terms of Rule 1223(i) of Delhi Prison Rules, 2018 in the last three years. Learned counsel further submits that the only reason for the same is that the petitioner did not surrender in time in the year 2021. Thereafter, the petitioner has been released on parole and furlough vide orders dated 24.05.2022 in W.P.(CRL)



870/2022 and 05.03.2024 in W.P.(CRL) 766/2024, respectively.

3. A status report has been placed on record. There is no denying that besides the late surrender in the year 2021, there exists no other reason for the petitioner not being able to avail the relief claimed therein. It is also undisputed that the petitioner has been released on parole and furlough vide the aforesaid orders.

4. Considering the aforesaid, the petition is allowed and the petitioner is directed to be released on furlough for a period of two weeks from the date of her release, subject to her furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Superintendent, Central Jail No.6, Tihar, New Delhi and subject to following conditions :-

- i) That petitioner shall maintain peace and good behaviour during her period of release on furlough;
- ii) During the period the petitioner remains out on furlough, the petitioner shall report to the SHO, Police Station Mansarovar Park, Delhi at 12.00 noon, every alternate Saturday. It is directed that under no circumstance shall the petitioner be made to wait for more than one hour for the purpose of such reporting;
- iii) The petitioner shall also provide the SHO, PS Mansarovar Park, Delhi with mobile telephone number which shall be kept in working condition at all times, and shall not switch off or change the mobile number without prior intimation to the SHO concerned. The mobile location be kept on at all times;



iv) The petitioner shall not leave the National Capital Territory of Delhi during the period of furlough, without the prior permission of this Court;

v) The petitioner shall not indulge in any criminal activity;

vi) That petitioner shall surrender before the Superintendent, Central Jail No.6, Tihar, New Delhi on or before the 15th day of her release on furlough.

5. Petition is disposed of in the above terms.

6. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

MANOJ KUMAR OHRI, J

AUGUST 2, 2024

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