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

+ **W.P.(CRL) 2293/2024,CRL.M.A. 22392/2024**

**FAISAL @ SIBHU**

.....Petitioner

Through: **Ms.Naiem Jahan Heena and Mr.Raj  
Kumar, Advts.**

versus

**STATE OF NCT OF DELHI & ANR.**

.....Respondents

Through:

**Mr.Sanjeev Bhandari, Additional  
standing counsel (Criminal) with  
Ms.Anvita Bhandari, Mr.Charu  
Sharma, Mr.Arjit Sharma and  
Mr.Vaibhav Vats, Advts. for the  
State.**

**SI Suresh Kr.Meena, PS New  
usmanpur**

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**06.08.2024**

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1. The status report has been filed. As per the status report, the petitioner was released on emergency parole for 90 days on 15.05.2021 which was extended from time to time due to Covid-19 Pandemic. However, in between the petitioner was re-arrested on 17.10.2021 in two other cases i.e.FIR No. 718/2021, U/s - 25/54/59 Arms Act & 102Cr.P.C., PS - Khajoori Khas, Delhi and FIR No. 818/2021, U/s - 379/411 IPC, PS - Loni, Ghaziabad, UP and was admitted in jail on 18.10.2021. Learned additional standing counsel submits that this is a violation of terms



and condition mentioned in the personal bond at the time of release and Rule 1269 (XXI) of Delhi Prisons Rule 2018.

2. Parole/furlough, is a conditional release from the jail, which is granted by the competent authority, and the same is contingent upon several factors including the behaviour of prisoner within the jail premises or the behaviour when previously released on parole/furlough, and his demonstration of readiness for reintegration into society. Rule 11 of the Parole/Furlough: Guidelines 2010 issued vide Order No. F.18/91-2009/HG specifies the eligibility to be released on parole. Therefore rule 11.3 states that during the period of release on parole, if granted earlier, the convict should not have committed any crime. Hence, the applicant herein has violated the said rule that the grant of furlough is not a matter of right and the same can be denied in the interest of society. In the case of *State of Gujarat v. Narayan*, 2021 SCC OnLine SC 949 and *Ashfaq v. State of Rajasthan & Ors.*, (2017) 15 SCC 55, it was observed that the grant of furlough is not a matter of right and the same can be denied in the interest of society.
3. In view of the status report and the rules, I consider that the petitioner is not entitled to grant of parole/furlough.
4. Hence, the petition along with the pending application is dismissed.

**DINESH KUMAR SHARMA, J**

**AUGUST 6, 2024**

rb/kr..