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

+ **W.P.(CRL) 3585/2023**

DAL CHAND

.....Petitioner

Through: **Mr. Anup Kumar Dass and Mr. Uday
Chauhan, Advocates**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Yasir Rauf Ansari, ASC for the
State**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.09.2024

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1. The present Writ Petition has been filed under Article 226 of the Constitution India read with Section 482 of the Code of Criminal Procedure, 1973 against the Order dated 31.10.2023 passed by the DG Prison rejecting the Furlough Application of the Petitioner.
2. It is submitted that the Furlough had been rejected on the ground that while on Emergency Parole of 90 days granted by the NCT of Delhi, the petitioner got involved in another case bearing FIR No. 256/2021 registered under Sections 363/376/323IPC at PS Matsaina, Firozabad where he was admitted in Firozabad Jail and then subsequently transferred to this Jail on 06.09.2022.
3. Reliance has been placed on the Order dated 11.05.2023 where in similar circumstances, this Court had allowed the Appeal and granted the Furlough.



4. Learned counsel for the petitioner submits that though the FIR was registered, but he has already been admitted on Bail. Moreover, he had never absconded when released on Furlough. It is therefore, submitted that he may be considered for Furlough.
5. Learned counsel for the respondent has submitted that in the present case, since three years have already lapsed, the petitioner may have become entitled to Furlough, for which he may move an Application before the Jail Superintendent.
6. **Submissions Heard.**
7. The FIR had been registered on 16.05.2021 and three years have already lapsed since his earlier involvement in FIR No.256/2021. The petitioner is at liberty to move an appropriate Application for Furlough.
8. This Application be considered/decided by the Jail Superintendent within one month.
9. Petition accordingly disposed of.
10. A copy of the Order be sent to the Jail Superintendent.

NEENA BANSAL KRISHNA, J

SEPTEMBER 3, 2024/PT