



\$~81

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

+ **W.P.(CRL) 2932/2024**

AMAN @ SONU

.....Petitioner

Through: **Mr. Anirudh Tanwar, Advocate**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Mr. Sanjeev Bhandari, ASC for the State**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

23.09.2024

%

1. The present Petition has been filed under Article 226 of the Constitution of India read with Section 528 BNSS, 2023 on behalf of the petitioner to set aside the Order dated 02.08.2024 passed by the DG Prisons, denying the Furlough to the petitioner under Rule 1224 of the Delhi Prison Rules, 2018 on the ground that simultaneous Furlough to the co accused cannot be granted.
2. Learned ASC for the State appears on advance Notice and submits that the Furlough has been denied as per the Rules of Delhi Prison Rules and the petitioner cannot be allowed Furlough because of the Limitation.
3. There are five convicts in the present case and each is entitled to three Furloughs in a given year, totalling upto 7 weeks.
4. It is quite evident that Rule 1224, Delhi Prison Rules, if applied to the five convicts may lead to a situation where the convict would be denied of



their legal entitlements in the year.

5. Looking at the peculiar facts and circumstances of this case, it is considered appropriate to grant the Furlough to the petitioner for a period of two 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. Petition accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 23, 2024/PT