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

+ **W.P.(CRL) 2943/2024**

MAHESH @ VIKRAM

.....Petitioner

Through: Mr. Bipin Kumar Jha, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Kshitiz Garg, Advocate with Mr. Ashvini Kumar, Advocate for Mr. Amol Sinha, ASC (Crl.) for the State. SI Bharat Singh, P.S.: Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.11.2024

CRL.M.A. 35119/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.A. 35118/2024

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks extension of the *second* spell of furlough granted to him *vide* order dated 08.10.2024 for 14 days in November 2024 in the present proceedings.

2. Mr. Bipin Kumar Jha, learned counsel appearing for the petitioner submits that by way of order dated 08.10.2024 the petitioner was



granted two spells of furlough, first in October 2024 and second in November 2024 from the date of his release, for purposes of certain functions relating to the wedding ceremonies of his daughter.

3. Mr. Jha argues that the petitioner completed his first spell of furlough and his application for extension of that spell was disposed-of as withdrawn *vide* order dated 23.10.2024. Thereafter the petitioner was released on his second spell of furlough on 12.11.2024 for 02 weeks.
4. It is submitted however, that the wedding of the petitioner's daughter is scheduled for 25.11.2024 and the 02 week period reckoned from 12.11.2024 would mean that the petitioner would be required to surrender back to custody on 26.11.2024, that is on the very next day after the wedding.
5. Counsel submits that the petitioner needs to perform some obligations even after completion of his daughter's wedding and may be granted some respite on that score.
6. Issue notice.
7. Mr. Kshitiz Garg, learned counsel appears on behalf of Mr. Amol Sinha, ASC (Criminal) for the State on advance copy; accepts notice; and leaves it to the court to pass appropriate orders.
8. Considering the circumstances obtaining in the matter, the application is disposed-of with a direction that the *second* spell of furlough granted to the petitioner *vide* order dated 08.10.2024 shall stand extended by 01 week, meaning thereby that the petitioner would be required to surrender back to custody within 03 weeks counted from the date of his release *i.e.*, 12.11.2024.
9. The application stands disposed-of.



W.P.(CRL) 2943/2024

10. The petition already stood disposed-of *vide* order dated 08.10.2024.
11. A copy of this order be communicated to the concerned Jail Superintendent *forthwith*.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 22, 2024/ak