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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3057/2024**

RAGHUBIR SINGH

.....Petitioner

Through: Mr. Vaibhav Kaul & Mr.
Chetan Lokur, Advs.
(through VC)

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC for
the State with Mr. Sangeet
Sibou, Mr. Aniket, Mr.
Mathew M. Philip, Ms.
Priya Rai & Mr. Abhishek
Tomar, Advs.
SI Mahendra Patel, PS-
Narela

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
07.10.2024

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1. The petitioner had filed an application seeking furlough on 30.07.2024 informing that his mother expired on 29.07.2024.
2. The application was kept pending which led to filing of the present writ petition.
3. Rule 1226 (x) and (xi) of the Delhi Prison Rules, 2018 specifically provides that if no report is received by the Superintendent of Jail within a period of four weeks, it shall be presumed that the Police authorities have no objection to the furlough being granted.
4. The status report has been filed in the present petition.
5. The inquiry conducted by the respondent authorities concludes that the claim of the petitioner regarding his mother's demise is accurate.



6. The petitioner is in custody from last more than eleven years.

7. No other objection has been raised by the respondent authorities in regard to grant of furlough.

8. In view of the above, the petition is allowed and the petitioner is directed to be released on furlough for a period of two weeks on the following conditions:

- a. The petitioner shall furnish a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent;
- b. The petitioner shall submit his residential address, where he shall be residing after his release, to the concerned Jail Superintendent, and shall not change the same without informing the concerned Jail Superintendent;
- c. The petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM and shall not leave the National Capital Territory of Delhi during the period of furlough;
- d. The petitioner shall furnish his mobile number to the Jail Superintendent as well as to the SHO of the concerned Police Station on which he can be contacted if required. The said mobile number shall be kept active and operational at all times by the petitioner;
- e. The petitioner shall not indulge in any criminal activity during the period of furlough;
- f. Immediately upon the expiry of period of furlough, the petitioner shall surrender before the concerned Jail Superintendent;



- g. During this period, co-accused, if any, shall not be released on parole/furlough;
 - h. The period of furlough shall commence from the date of actual release of petitioner.
11. The present petition is allowed in the aforesaid terms.
12. A copy of this order be sent to the Jail Superintendent for information and necessary compliance.

AMIT MAHAJAN, J

OCTOBER 7, 2024
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