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

+ **W.P.(CRL) 3428/2024**

JITENDER PRASAD

.....Petitioner

Through: Ms. Gunjan Sinha Jain, Adv.(VC)
(DHCLSC) with Mr.Akshay Kumar,
Adv.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC with Ms.
Charu Sharma, Mr. Arjit Sharma,
Adv. with SI Shivali, SI Anita, PS
Keshav Puram

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

04.11.2024

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1. The present petition has been filed seeking following prayer;

“Issue a writ in the nature of Mandamus directing the respondent to release the petitioner on 1st Spell of Furlough of three weeks in FIR No. 577/2014, P.S Keshav Puram & U/S. 376/342 of IPC and 06 POCSSO Act.”

2. Learned counsel for the petitioner submits that the petitioner had applied for grant of first Spell of furlough as per the Delhi Prison Rules, 2018. Learned counsel for the petitioner further submits that no reply has been received to the said application for first Spell of furlough from the last more than 73 days. Learned counsel submits that therefore, the intervention of this Court is required.

3. Issue notice. Learned ASC for the State has accepted the notice.

4. Learned ASC on instructions states that the application of the



petitioner for grant of first Spell of furlough shall be decided within two weeks.

5. In view of the submissions made by the learned ASC, the petition stands disposed of with a direction to decide the application of the petitioner for grant of first Spell of furlough within two weeks. In case, first Spell of furlough is not granted, the petitioner is at liberty to move a fresh application in accordance with law.
6. Copy of this order be sent to the concerned Jail Superintendent for necessary compliance.

DINESH KUMAR SHARMA, J

NOVEMBER 4, 2024

Pallavi/KR