



\$~119

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

+ **W.P.(CRL) 3505/2024**

VIKAS SHARMA @ VICKY

.....Petitioner

Through: Mr. Tushar Gupta and
Mr. Parniey Gupta, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari,
ASC for the State with Ms.
Charu Sharma, Mr. Arjit
Sharma, Mr. Vaibhav Vats
and Mr. Nikunj Bindal,
Advs. with W/SI Annu
Kumari, PS Nihal Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **11.11.2024**

CRL.M.A. 33608/2024 (*exemption from filing certified copies
and original documents*)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 3505/2024

3. By the present petition, the petitioner essentially seeks second spell of furlough for a period of two weeks.
4. The application filed by the petitioner seeking furlough was rejected noting that the petitioner, on an earlier occasion, had surrendered late by one day, which led to issuance of warning.
5. The petitioner also challenges the punishment dated 18.07.2024 pursuant to which warning was issued to the petitioner.
6. It is an admitted case that the petitioner was to surrender



by 5:00 p.m. of 17.07.2024. It is not disputed that the petitioner reached the Jail premises on 17.07.2024 itself. It seems that he got late by a few hours and the Jail Superintendent did not allow him to enter the premises on that day. The petitioner thereafter surrendered in the morning of 18.07.2024.

7. No fault can be found with the order of the respondent authorities. However, purely on humanitarian grounds since the petitioner had surrendered in the morning of the next day itself, this Court considers it apposite to quash the punishment ticket.

8. The respondent authorities are directed to consider the application seeking furlough uninfluenced by the warning issued on the earlier occasion.

9. Let the fresh order be passed within a period of two weeks from today.

10. A copy of this order be sent to the concerned Jail Superintendent.

11. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 11, 2024

'KDK'