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

+ **W.P.(CRL) 3605/2024**

VED PRAKASH

.....Petitioner

Through: Mr. Ravi Nayak, Advocate.
versus

STATE NCT OF DELHI THROUGH SHO KALYANPURI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kr. Arya and Ms. Priyam Agarwal,
Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

16.12.2024

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Pursuant to last order dated 10.12.2024, Status Report dated 11.12.2024 has been filed on behalf of the State, which records that the petitioner's furlough application was rejected by the Jail Authorities *vide* order dated 09.10.2024 for the reason that he had failed to surrender on time when he was released on furlough in the previous year.

2. Mr. Sanjay Lao, learned Standing Counsel (Criminal) appearing on behalf of the State submits, that the competent authority had rejected the petitioner's furlough application in view of Rule 1239 of the Delhi Prison Rules 2018 read with Standing Order No. 01/2019, since after his previous punishment dated 25.11.2023 for surrendering late from



furlough, the petitioner had *not* spent one year without any jail punishments, as of date of rejection of the application.

3. Learned Standing Counsel (Criminal) however submits, that on point of fact, as of today, the petitioner has completed one year since his last jail punishment and accordingly, Mr. Lao leaves it to the court to pass appropriate orders.
4. In view of the above and since it is not disputed that the petitioner is entitled to a second spell of furlough within this year, the petition is allowed thereby granting to the petitioner – ***Ved Prakash s/o Sh. Khacheru*** – *furlough for a period of 02 weeks* from the date of his release subject to the following conditions :
 - 4.1. The petitioner shall furnish a personal bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the Jail Superintendent;
 - 4.2. The petitioner shall not leave the NCT of Delhi without the prior permission of this court and shall *ordinarily* reside at his address as per prison records;
 - 4.3. The petitioner shall present himself before the S.H.O., P.S.: Kalyan Puri every Thursday between 11 am and 11:30 am to mark his presence. However, he will not be kept waiting longer than an hour for this purpose;
 - 4.4. The petitioner shall furnish to the S.H.O., P.S.: Kalyan Puri a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;



- 4.5. If the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
- 4.6. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any; and
- 4.7. Upon expiry of the period of furlough, the petitioner shall surrender before the Jail Superintendent *forthwith*.
5. A copy of this order be sent to the concerned Jail Superintendent *forthwith*, for information and compliance.
6. The petition stands disposed-of, in the above terms.
7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 16, 2024
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