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

+ **W.P.(CRL) 3688/2024**

MANOJ SIROHI

.....Petitioner

Through: **Mr. Arjun Malik, Adv.**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Adv.
Inspector Bijay Kumar, PS Bawana**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

02.12.2024

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1. This is a writ petition seeking quashing of the Rejection Order No. F.10(3475654)/CJ/LEGAL/PHQ/2024/7280 dated 22.10.2024 and release the petitioner for 2nd spell of furlough for a period of 2 weeks.
2. As per the rejection order, the petitioner's application for grant of furlough was rejected for violation of Rule 1223(1) of the DPR-2018 stating that the petitioner did not have 3 Annual Good Conduct Reports (AGCRs) due to unsatisfactory jail conduct in punishment against him for 1 ½ year of late surrender after the emergency parole.
3. Even though a status report has been filed, the same is not on record.
4. As per the status report dated 30.11.2024 handed over in court today, on 16.07.2024 the petitioner was granted furlough for a period of 21 days/ 3 weeks in W.P(CRL) No. 1954/2024. In the earlier round, the court has duly



considered the fact that the petitioner surrendered 1½ year late and noted that the delay in surrender was due to the reason that the petitioner was unaware that the period of emergency parole has expired.

5. For the said reasons, I am of the view that since this issue has already been considered and adjudicated by the Court in W.P.(CRL) 1954/2024 and thereafter the petitioner was granted furlough for a period of 3 weeks, I am inclined to allow this petition.

6. In the present case, the petitioner is a life sentence convict and has already undergone 13 years 10 months 22 days and a remission of 3 years 4 months and 27 days as per the nominal roll dated 18.11.2024.

7. For the said reasons, the petition is allowed and the petitioner is granted furlough for a period of 2 weeks from the date of his release, subject to the following conditions :

- a. The petitioner shall furnish a personal bond in the sum of Rs. 10,000/- (Rs. Ten Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the Jail Superintendent.
- b. The petitioner shall not leave the NCT of Delhi without permission of this court and shall ordinarily reside at his address as per prison records;
- c. The petitioner shall furnish to the SHO, P.S.: Bawana 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.
- d. If the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
- e. The petitioner shall not indulge in any set or omission that is



unlawful.

f. Upon expiry of the period of furlough, the petitioner shall surrender before the Jail Superintendent.”

8. Since the reasons of surrendering for 1 ½ years late after emergency parole has been considered by the predecessor court on 16.07.2024 and this court in the order passed today, the respondents in future application for parole/furlough shall not reject the same on this ground.

9. Status report taken on record.

JASMEET SINGH, J

DECEMBER 2, 2024/NG