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

+ **W.P.(CRL) 3748/2024**

PAWAN @ AMIT @ TINKU

.....Petitioner

Through: Mr. Vishesh Wadhwa (DHCLSC),
Mr. Vishwam Mishra; Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for State
along with Ms. Charu Sharma, Mr.
Arjit Sharma, Mr. Vaibhav Vats, Mr.
Nikunj Bindal, Advocates & SI
Abhishek Guleria, PS: Anand Parbat.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

02.12.2024

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1. This petition has been filed seeking a grant of furlough in FIR No. 44/2011 registered at P.S. Anand Parbat, under Sections 376/342 IPC. Petitioner was sentenced to life and has already served about sixteen years including remission.
2. Earlier petitioner has been released on furlough, passed originally *vide* order dated 10th January 2024, which has subsequently modified by the orders of this Court dated 9th August 2024.
3. The furlough has been rejected by the Competent Authority on the ground that petitioner had surrendered one day late when he was granted furlough, i.e. on 9th September 2024, when he ought to have surrendered on



8th September, 2024.

4. Counsel for petitioner points out that he had gone to his sister's house in Etawah, U.P. on the occasion of Rakhi and remained there till the date of surrender i.e. 8th September 2024. When he left for Delhi at around 08:00 A.M, the bus malfunctioned on the way and he reached Delhi at late hours at around 11:55 PM, and immediately rushed to Mandoli Jail but was told that he was late and he should come in the morning. Thereafter, he surrendered at 09:30 AM in the morning.

5. In these facts and circumstances, the ground for rejection of furlough is not made out. Accordingly, the furlough is granted to the petitioner for a period of three weeks subject to the following conditions.

6. Considering that the previous furlough had been directed by this Court, pursuant to his plea on furnishing the personal bond of Rs.10,000/- and a cash surety of the same amount, the same conditions are imposed herein as well. The other conditions shall be as directed *vide* order dated 10th January 2024:

(i) That he shall maintain peace and good behaviour during his period of release on Furlough.

(ii) That he will remain at his residence during the period of his release on furlough and his ordinary place of residence shall be:- H. No. 662, Gali No. 13, Nehru Nagar Anand Parbat, Delhi.

(iii) That he shall report at least once in a week to Police Station under which his ordinary place of residence falls, during the period of his release on furlough.

(iv) That he shall surrender to the Superintendent, Central Jail No.14, Mandoli, Delhi on the expiry of his period of release on furlough.



(a) In the event, petitioner seeks to visit his native place at Etawah, U.P., the petitioner shall inform the SHO Police Station Anand Parbat and provide his phone number to the SHO.

7. Accordingly, the petition is disposed of.

8. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 2, 2024/ak/tk

Click here to check corrigendum, if any