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

+ **W.P.(CRL) 3945/2024**

ATBIR

.....Petitioner

Through: **Mr. Anup Kumar Das, Advocate.**

versus

STATE (NCT OF DELHI)

.....Respondent

Through: **Mr. Satish Kumar, APP for the State**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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18.12.2024

CRL.M.A. 38057/2024

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 3945/2024

1. The instant petition under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal Procedure, 1973) has been filed by the petitioner seeking the following relief:-

“Issue a Writ in the nature of mandamus Directing the Respondent to release the Petitioner on first Spell of furlough for a period of 21days, to re-establish the social-ties with family members.”

2. Heard learned counsel appearing on behalf of the parties and perused



the contents made in the petition.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has filed an application dated 8th November, 2024 seeking to be released on furlough. It is submitted that as per the statutory provision, an application for release on furlough is to be decided within four weeks, however, no order has yet been passed by the Competent Authority on the said application filed by the petitioner.

3. Learned APP appearing for the State vehemently opposed the instant petition and submitted that he has no instructions as to whether any decision has been taken by the Competent Authority. He, however, fairly submitted that he is not opposing the prayer made by the petitioner for disposal of his application for release on furlough expeditiously.

4. In view of the aforesaid, the instant petition is disposed of with a direction to the Competent Authority to decide the petitioner's application expeditiously, preferably within ten days.

CHANDRA DHARI SINGH, J

DECEMBER 18, 2024

NA/mk

Click here to check corrigendum, if any