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

+ **W.P.(CRL) 20/2025**

DHARMENDER KUMAR TANDON

.....Petitioner

Through: Mr. Siddharth Yadav, Adv.
versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for State with Ms. Priyam
Agarwal & Mr. Abhinav Kr. Arya,
Adv.
SI Neeraj Choudhary, PS Rajinder
Nagar

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

10.01.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS (482 Cr.P.C.) seeks the following prayers:

“a) Issue a writ in the nature of Mandamus granting parole for a period of three (3) months to the petitioner in FIR No. 147/2012, U/s 302/307/452 IPC, P.S. Rajinder Nagar;
b) pass such further order(s) as this Hon'ble Court deems fit and proper.”

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is presently on furlough granted by the Competent Authority *vide* order dated 30.12.2024. It is submitted that he was released on 31.12.2024. It is further pointed out that the mother of the petitioner passed away on



27.12.2024 and the petitioner was unable to perform the last rites on account of the fact that he was released on 31.12.2024. It is further submitted that an application seeking parole on the said ground has been filed by the petitioner on 31.12.2024, which is pending before the Competent Authority.

4. Status report dated 09.01.2025 authored by Insp. Rajender Singh, P.S. Rajinder Nagar, has been handed up in the Court by the learned Standing Counsel and the same has been taken on record. In the said status report, the factum of the petitioner's mother's demise has been verified.

5. Learned Standing Counsel further submits that the application seeking parole is pending before the Competent Authority.

6. Learned counsel appearing on behalf of the petitioner, on instructions, submits that the petitioner is presently out on 2nd spell of furlough and prays that he may be released on 3rd spell of furlough on the same terms and conditions.

7. In view of the aforesaid facts and circumstances, the aforementioned prayer is allowed and the petitioner is directed to be released on 3rd spell of furlough for a period of two weeks after expiry of 2nd spell of furlough, on the same terms and conditions as laid down by the Competent Authority in the order dated 30.12.2024.

8. On expiry of the said period of furlough, he shall surrender *forthwith* before the concerned Jail Superintendent.

9. The petition is disposed of. Pending application(s), if any, also stand disposed of.

10. A copy of the order be communicated to the concerned Jail Superintendent, for necessary information and compliance.



11. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

JANUARY 10, 2025/nk

Click here to check corrigendum, if any