



\$~133

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

+ W.P.(CRL) 84/2025

NAEEM @ NAIMUDDIN

.....Petitioner

Through: Mr. Archit Upadhyay, Advocate
(DHCLSC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Abhinav Kr. Arya, Advocate
for State with SI Shivendra Singh,
P.S. Subhash Place

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

16.01.2025

%

1. The present petition has been filed seeking the following reliefs:-

- a. Issue a writ of certiorari thereby setting aside the order no. F.10(0035230)/CJ/LEGAL/PHQ/2024/M-1658 Dated 27.12.2024 passed by the DG, Prisons whereby declining the furlough application of the petitioner and*
- b. Issue a writ in the nature of Mandamus directing the respondent to release the petitioner on 1st Spell of furlough for a period of 3 Weeks; and, or*
- c. Pass any other order or further orders, which this Hon'ble Court deems fit and proper in the interest of justice*

2. A first spell of furlough has been sought for the period of 03 weeks on the ground that the petitioner's wife is expecting a child and the tentative date of delivery is 18.01. 2025.

3. Notice in the present petition was issued vide order dated 14.01.2025 with a direction to the State to verify the medical record of the petitioner's wife.

4. The factum of pregnancy of petitioner's wife as well as expected date



of delivery has been verified as mentioned in the Status Report. The Status Report has been handed over in the Court. The same is taken on record.

5. In view of the above, the present petition is allowed and the respondent is directed to release the petitioner on first spell of furlough for a period of 03 weeks from the date of release subject to his furnishing personal bond in the sum of Rs.15,000/- and one cash surety of the like amount to the satisfaction of the Trial Court/Jail Superintendent further subject to following conditions:

- (a) The petitioner shall not leave city/NCR region without informing the local SHO;
- (b) Petitioner shall provide his mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned;
- (c) He shall report to the Police Station Subhash Place, Delhi on every Monday during the period of furlough.

7. Upon expiry of period of three weeks as stated above, the petitioner shall surrender before the Jail Superintendent.

8. The petition is allowed, in the above terms.

9. Copy of the order be forwarded to the Jail Superintendent for necessary compliance.

10. Order *dasti* under the Signatures of the Court Master.

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

VIKAS MAHAJAN, J

JANUARY 16, 2025/j