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

+ **W.P.(CRL) 210/2025**

PRAMOD @ LANGRA

.....Petitioner

Through: Mr. Siddharth Yadav, Adv.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the
State.
SI Komal, PS Subhash Place.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

12.02.2025

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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 has been filed seeking the following prayers: -

“a) Issue a writ in the nature of Certiorari quashing order issued by respondent bearing number F.10(003745126)/CJ/Legal/PHQ/2024/7686 dated 30/10/2024;

b) Issue a writ in the nature of Mandamus granting first (1st) spell of furlough for a period of three (3) weeks to the petitioner in FIR No. 80/2010, U/s 302/458/460/411/379/511/34 IPC, P.S. Saraswati Vihar;

c) 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 latter had filed an application for grant of furlough before the competent authority, however, the same was rejected *vide* order F.10(003745126)/CJ/Legal/PHQ/2024/7686 dated 30.10.2024. The said



order reads as under: -

- “1. Convict **Pramod@ Langra s/o Hira Lal** is undergoing life sentence and has completed 14 years and 02 months in custody.
2. That he was released on furlough on 02.07.2024 to 16.07.2024 for the period of two weeks by the prison authority. Further, the Hon'ble Supreme Court of India exempted him from surrendering till 06.09.2024 but he surrendered on 12.09.2024 i.e. late by 06 days.
3. A warning was issued by Superintendent jail for late surrender in jail.
4. As per Standing Order 01/2019 if the convict happens to commit jail offence (jumped Parole/Furlough) and a punishment of Warning has been recorded against him, he shall be eligible for furlough after a gap of one year from the date of punishment.
5. As his overall conduct found to be unsatisfactory and furlough is purely an incentive for maintaining good conduct, therefore, his request for furlough cannot be acceded to.”

4. He further submits that the main ground for rejecting the said application was delay in surrender. He has placed reliance on the orders dated 19.11.2024 and 10.01.2025 passed by Coordinate Benches of this Court in **W.P.(CRL) 3391/2024, titled as “Akash @ Bhola v. State (NCT Of Delhi)”** and **W.P.(CRL) 3619/2024, titled as “Manoj v. State (NCT Of Delhi)”** respectively to submit that furlough can be granted if there is an inadvertent delay in surrendering. It is further submitted that the petitioner was granted furlough on earlier occasions despite the fact that he was issued punishment tickets.

5. It is further submitted that the petitioner was released on furlough for a period of 2 weeks w.e.f. 02.07.2024 to 16.07.2024 and the same was extended from time to time in pursuance of the directions given by the Hon'ble Supreme Court. However, the Hon'ble Supreme Court had, thereafter, directed him to surrender on 06.09.2024. But the petitioner was not informed



in time regarding the same, due to which he surrendered after a delay of 6 days. It is the case of the petitioner that the said delay in surrendering was inadvertent.

6. *Per contra*, learned Additional Standing Counsel for the State has opposed the present petition as the petitioner has surrendered after a delay of 6 days despite the directions given by the Hon'ble Supreme Court and has thus, become ineligible for grant of further relief of furlough. He has handed over in Court today nominal roll dated 11.02.2025 along with status report and the same are taken on record.

7. Heard learned counsel for the parties and perused the record.

8. Perusal of the nominal roll dated 11.02.2025 shows that the present petitioner, as on 10.02.2025, has undergone incarceration for more than 16 years including the remissions earned by him during the said custody period. It further shows that he was released on parole and furlough on earlier occasions and he has not misused the liberty granted to him and has duly surrendered after the expiry of the same. It is further noted that the present petitioner was given punishment tickets way back in 2020, however, despite those punishments, he was granted furlough for a period of three weeks by a Coordinate Bench of this Court *vide* order dated 28.03.2024 passed in W.P.(CRL) 167/2024. So far as the delay of 6 days in surrender is concerned, it is recorded in the impugned order that he has been warned but no punishment was awarded.

9. In the totality of the facts and circumstances of the case, the present petition is allowed and the petitioner is directed to be released on furlough for a period of 3 weeks, from the date of his release, on his furnishing a personal



bond of Rs. 10,000/- along with one surety of the like amount to the satisfaction of the concerned Jail Superintendent, further subject to following conditions: -

- i. The petitioner shall report to the SHO, P.S. Saraswati Vihar on every Sunday between 10:00 AM to 11:00 AM during the period of furlough and the concerned Officer shall release him after completion of necessary formalities.
 - ii. The petitioner shall not leave the National Capital Territory of Delhi during the period of furlough, without the prior permission of this Court.
 - iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of PS Saraswati Vihar, on which he can be contacted if required. The said telephone number shall be kept active and operational at all the times by the petitioner.
 - iv. The petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.
 - v. The petitioner is directed to surrender before the jail authorities after the expiry of the period of furlough.
10. The petition is allowed and disposed of accordingly.
11. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.



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

AMIT SHARMA, J

FEBRUARY 12, 2025/kr

Click here to check corrigendum, if any