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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 277/2025

SUNIL KUMAR

.....Petitioner

Through: Mr. Dinesh Malik, Adv.
(DHCLSC) with Mr.
Puneet Jain and Mr.
Retesh Malik, Advs.

versus

STATE OF NCT OF DELHI THROUGH ITS
CHIEF SECRETARY

.....Respondent

Through: Ms.Rupali Bandhopadhya,
ASC for the State with Mr.
Abhijeet Kumar and Mr.
Shakti, Advs. with Insp.
Rahul Raushan, PS Vasant
Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

27.03.2025

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1. By the present petition, the petitioner prays as under :
 - a. *Issue a writ or order in the nature of Certiorari quashing the Rejection Order No. F.10(003519973)/CJ/Legal/PHQ/2024/M-1549 dated 24.12.2024;*
 - b. *Issue a writ or order in the nature of Mandamus directing the respondent to release the petitioner on furlough for a period of 02 weeks on him furnishing his Personal Bond or Cash Security;*
 - c. *Pass any other order or further orders, which the Hon'ble Court deems fit and proper in the interest of justice;*
2. The petitioner's application seeking furlough was rejected by order dated 24.12.2024 after noting that his conduct was not



good in the last three years and he had not earned three Annual Good Conduct Reports consecutively.

3. It was noted that the petitioner was involved in another case, that is, FIR No. 346/2022, registered at Police Station R.K. Puram, for offences under Sections 379/411/34 of the Indian Penal Code, 1860.

4. The learned counsel for the petitioner submits that the petitioner was falsely implicated in FIR No. 346/2022. He submits that in order to buy peace, the matter was settled and the offence was compounded.

5. The date of registration of the said FIR is not clear.

6. In the opinion of this Court, the petitioner would be entitled to seek furlough after competition of three years from the date of registration of the said FIR.

7. In such circumstances, this Court does not find any infirmity in the rejection order passed by the respondent authorities. The rejection order has been passed in terms of applicable Delhi Prison Rules, 2018 since concededly, three years had not elapsed from the date of registration of FIR.

8. Needless to say, it is open to the petitioner to file an application seeking furlough afresh when three years have passed from the registration of the said FIR.

9. As and when such application is filed, the same is directed to be considered in accordance with applicable rules and law without being influenced by registration of FIR No. 346/2022.

10. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

MARCH 27, 2025 / 'KDK'