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

+ **W.P.(CRL) 466/2025**

VIJAY KUMAR @ MANNU

.....Petitioner

Through: Mr. Siddharth Yadav,
Adv.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha (ASC
Criminal for the State)
along with Mr. Kshitiz
Garg, Ashvini Kumar,
Nitish Dhawan, Ms. Chavi
Lazarus & Ms. Sanskriti
Nimbekar, Advs.
Insp. Hitendra Kumar, PS
Mangolpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

23.04.2025

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1. The petitioner seeks release on first spell of furlough for a period of three weeks in the current financial year in FIR No. 780/2006 registered at Police Station Mangolpuri for the offences under Sections 364A/302/201/34 of the Indian Penal Code, 1860 ('IPC').

2. The application seeking furlough was rejected for the reason that the petitioner, when released for three weeks on furlough on earlier occasion, had not surrendered on time despite the fact that the Hon'ble Apex Court by order dated 01.10.2024 had directed the petitioner to surrender immediately.

3. The Status report is filed and the same is taken on record.

4. The State has not disputed that the petitioner is otherwise entitled to the benefit of furlough but for the fact that the

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petitioner had not surrendered on time on an earlier occasion.

5. The petitioner and the other convicts who were released on furlough / parole and had completed 14 years in custody, had filed multiple petitions before this Court as well as before the Hon'ble Apex Court seeking the benefit of premature release. The Hon'ble Apex Court as well as this Court, in some of the petitions, had granted interim orders thereby exempting the convicts from surrendering during the pendency of the petitions. Several petitions were dismissed, including that of the petitioner by the Hon'ble Apex Court by order dated 01.10.2024 and the convicts were directed to surrender immediately. All those convicts surrendered with some period of delay on the legal advice as received by them at that stage.

6. The Coordinate Benches of this Court in various other writ petitions filed by similarly placed convicts who had not surrendered on time, had allowed the subsequent writ petition and had granted the benefit of furlough / parole noting that the respondent authorities have not objected to their release on any other ground.

7. In the present case also, the status report indicates that the petitioner is otherwise entitled for being granted the benefit of furlough.

8. In view of the above, the petitioner is directed to be released on first spell of furlough for the period of three weeks on the following conditions:

- a. The petitioner shall furnish a bail bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent;
- b. The petitioner shall submit his fresh residential address, where he shall be residing after his release,



to the concerned Jail Superintendent, and shall not change the same without informing the concerned Jail Superintendent;

- c. The Jail Superintendent shall release the petitioner after verification of the address;
- d. The petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM and shall not leave the National Capital Territory of Delhi during the period of furlough;
- e. The petitioner shall furnish his mobile number to the Jail Superintendent as well as to the SHO of the concerned Police Station on which he can be contacted if required. The said mobile number shall be kept active and operational at all times by the petitioner;
- f. The petitioner shall not indulge in any criminal activity during the period of furlough;
- g. Immediately upon the expiry of period of furlough, the petitioner shall surrender before the concerned Jail Superintendent;
- h. During this period, co-accused, if any, shall not be released on parole/furlough;
- i. The period of furlough shall commence from the date of actual release of petitioner.

9. The present petition is allowed in the aforesaid terms.

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

AMIT MAHAJAN, J

APRIL 23, 2025/“SK”

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