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

+ **W.P.(CRL) 530/2025**

VIKAS TOKAS ALIAS VICKY

.....Petitioner

Through: Mr. Arjun Malik, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC (Crl.) with Mr. Mathew M. Philip, Mr. Sangeet Sibou and Mr. Aniket Kumar Singh, Advocates for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

14.02.2025

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CRL.M.A. 4760/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

W.P.(CRL) 530/2025

3. The Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, Vikas Tokas @ Vicky, to challenge the Order dated 31.01.2025 wherein the Furlough Application of the Petitioner, has been rejected. It is submitted that the sole ground for rejection of the Furlough is that he does not have the clean records for the last three years. The last punishment was awarded to him on 08.07.2022 and since then, he has not committed any



further misconduct. Earlier also, the Co-ordinate Bench of this Court, have granted him Furlough *vide* Orders dated 01.12.2023, 08.05.2024 and 07.11.2024. It is, therefore, submitted that the Furlough for a period of three weeks be granted.

4. **Submissions heard and the record perused.**

5. The Petitioner was convicted in Case FIR No. 139/2011 under Section 302/34 of the Indian Penal Code, 1860 and Section 25 Arms Act, registered at Police Station Vasant Vihar, Delhi and sentenced to Rigorous Imprisonment for life with fine of Rs.25,000/-. The nominal roll reflects that he has already undergone sentence for 13 years 1 month and 27 days on 07.02.2025. His last conduct was recorded on 08.07.2022 since then this Court has granted him Furlough on three occasions. There is no other misconduct after 08.07.2022.

6. Considering the totality of the circumstances, the petitioner be released on second spell of furlough for a period of two weeks, on the following terms and conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
- ii. The petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM during the period of furlough.
- iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, 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 ordinarily reside at the address mentioned in the Petition.
 - v. Immediately upon the expiry of period of furlough, the Petitioner shall surrender before the Jail Superintendent.
 - vi. The period of furlough shall be counted from the day when the Petitioner is released from jail.
7. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

FEBRUARY 14, 2025/RS