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

+ W.P.(CRL) 564/2025

SATBIR SINGH

.....Petitioner

Through: Mr. Ashutosh Kaushik, Adv.
(DHCLSC).

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Aggarwal, Mr.
Abhinav Kumar Arya and Mr. Aryan
Sachdeva, Advs. for State with S.I.
Naveen, P.S. Burari, Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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18.02.2025

1. The present petition has been filed by the petitioner seeking following relief:

- “a. Issue a writ in the nature of Certiorari quashing the Order no. F.10(003496960)/CJ/LEGAL/PHQ/2024/M-955 dated 31.01.2025 passed by the Respondent; and*
- b. Issue a writ in the nature of mandamus directing the respondent to release the petitioner on 1st Spell of Furlough of 03 weeks.”*

2. The learned counsel appearing on behalf of the petitioner submits that the furlough application of the petitioner has been rejected *vide* impugned order dated 31.01.2025 on the ground that the petitioner has violated the condition of emergency parole.



3. He submits that though the reason for rejection has not been elaborated in the impugned order, however, from the nominal roll, it appears that the application of the petitioner for furlough has been rejected for the reason that when the petitioner was released on furlough for three weeks w.e.f. 26.06.2023 to 18.07.2023, he was arrested in another case under Sections 12/9/55 of Gambling Act registered against him *vide* FIR No.375/2022 at P.S. Sonia Vihar, Delhi and the court of learned ACMM, Karkardooma Courts, Delhi had convicted (admonished) the petitioner for the said offence.

4. He submits that even after the said judgment, the petitioner has been granted furlough by the jail authorities thrice in the year 2024, as is evident from the nominal roll. He submits that the petitioner has thereafter never misused the liberty so granted to him.

5. In view of the above, issue notice. Mr. Sanjay Lao, the learned Standing Counsel appearing on behalf of the State accepts notice. He submits that the factum of petitioner's involvement in a case under the Gambling Act and subsequent conviction was never brought to the notice of the jail authorities by the petitioner, however, he fairly states that thereafter, the petitioner has been granted furlough on three occasions which liberty has not been misused by him.

6. Having regard to the fact that post his conviction under the Gambling Act, the petitioner has already been granted furlough thrice which liberty was never misused by him, this court is of the view that the writ petition deserves to be allowed.

7. Accordingly, the present petition is allowed, the impugned order is set aside and the respondent is directed to release the petitioner for the first spell



of furlough for a period of three weeks subject to his furnishing a personal bond in the sum Rs.10,000/- and a surety bond of the like amount to the satisfaction of the Jail Superintendent and further subject to the following conditions:

- (a) The petitioner shall not leave city/NCR region without informing the local SHO; and
 - (b) The 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.
8. Upon expiry of period of three weeks as stated above, the petitioner shall surrender before the Jail Superintendent.
 9. With the aforesaid directions, the petition stands disposed of.
 10. Copy of the order be forwarded to the Jail Superintendent for necessary compliance.
 11. Order *dasti* under the Signatures of the Court Master.

FEBRUARY 18, 2025

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VIKAS MAHAJAN, J