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

+ **W.P.(CRL) 659/2025**

NITIN VERMA

.....Petitioner

Through: Ms. Mehak Nakra, Ms. Gunjan Suyal
and Mr. Anubhav Melhotra,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel for
the State along with Insp. Ranjit
Tokas, PS Sector 23 Dwarka.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
19.11.2025

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1. The Petitioner, a life convict in FIR No. 243/2008 registered under Section 302 of the Indian Penal Code, 1860, has approached this Court seeking grant of furlough.
2. The Petitioner's request for furlough has been rejected *vide* order dated 31st January, 2025. The rejection is premised on the ground that the Petitioner failed to surrender on the due date, 07th April, 2023, after having been released on emergency parole on 17th May, 2021 (extended from time to time). He was subsequently rearrested on 06th June, 2024.
3. The State opposes the petition on the ground that, in the absence of three consecutive annual good conduct reports, the Petitioner is not entitled to furlough.



4. The Court has considered the submissions. As per the Nominal Roll dated 26th March, 2025, he has undergone 13 years, 9 months and 22 days of actual custody and earned remission of 2 years, 9 months and 4 days, having completed more than 14 years in custody. The Petitioner has previously been released on furlough and parole on more than 10 occasions. The Nominal Roll further indicates that while his overall conduct was previously marked “unsatisfactory” owing to the delay in surrender, his conduct for the past year has been assessed as satisfactory. As per the Status Report, the Petitioner’s residential address also stands verified.

5. It is also noted that the punishment ticket pertains to failure to surrender after release on emergency parole during the peak of the COVID-19 pandemic, a period marked by exceptional circumstances. This Court, in similar cases, has taken a sympathetic view where delays occurred during the pandemic. In *Mohd. Suleman v. State of NCT of Delhi*,¹ this Court held that a delay in surrender after release on emergency parole warrants a sympathetic view.

6. Considering the above, including the fact that the Petitioner has undergone more than 14 years of custody and that his conduct for the last one year has been satisfactory, the request is accepted. Accordingly, order no. F.10(003478180)/CJ/Legal/ PHQ/2025/ M-956 dated 31st January, 2025 passed by the Respondent is hereby quashed. The Respondent is directed to release the Petitioner on first spell of furlough for a period of 21 days, to re-establish the social-ties with family members, on furnishing of a personal bond in the sum of Rs. 15,000/- with one surety of the like amount subject to the satisfaction of the Jail Superintendent/Trial Court/Duty Metropolitan



Magistrate, and further subject to the following conditions:

- (i) The Petitioner shall not leave the NCT of Delhi during the period of furlough, without the prior permission of this Court.
 - (ii) The Petitioner shall provide the mobile number(s) to the concerned Jail Superintendent and SHO - P.S. Dwarka, at the time of his release, which mobile number shall be kept in a working condition at all times.
 - (iii) The Petitioner shall appear before the SHO - P.S. Dwarka, Delhi, once every fortnight to mark his presence. However, he shall not be kept waiting for longer than one hour for this purpose.
 - (iv) The Petitioner shall positively surrender before the concerned Jail Superintendent on the expiry of the period of furlough.
7. With the above directions, the present petition stands disposed of.
8. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

SANJEEV NARULA, J

NOVEMBER 19, 2025/MK

¹ 2023:DHC:3679