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

+ **W.P.(CRL) 888/2025**

SANJAY KUMAR VALMIKI

.....Petitioner

Through: Mr. Rajneesh Bhaskar, Advocate
(DHCLSC) with Mr. Rachit Raushan,
Advocate

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Insp. Ravi Kumar, PS Maurya
Enclave

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.04.2025

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1. The present petition filed under Article 226 of Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 assails order dated 28th February, 2025 denying the Petitioner's request for grant of furlough for a period of three weeks. The Petitioner is presently undergoing life imprisonment awarded to him by order on sentence dated 10th April, 2015 in proceedings emanating from FIR No. 226/2011 registered under Sections 302/201/363/376(2)(F) of the Indian Penal Code, 1860, registered at P.S. Maurya Enclave, Delhi.

2. The impugned order declining the Petitioner's request reads as follows:

"Sub: Regarding application for grant of Furlough to Sanjay Kumar Valmiki s/o Jagdish Kumar Valmiki in case FIR No. 226/2011, u/s 302/201/363/376 (2) IPC, PS Mayur Vihar, Delhi.

Ref: F.2/SCJ-2/CJ-2/AS (Furlough)/2024/929, dated 12.12.2024

1. Convict Sanjay Kumar Valmiki s/o Jagdish Kumar Valmiki was

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awarded life sentence (he shall not be entitled to seek remission till 25 years).

2. As per brief history, the above convict has involved rape and murder of a 08 year old minor girl.

3. Police authority has strongly opposed for grant of furlough.

4. As this being the category case (murder after rape) in view of Rule – 1225 of Delhi Prison Rules 2018 and the case needs to be recommended by DIG (Prison). However, the same was not recommended by DIG (Prison) In view of heinous nature of crime committed by him and opposition of police authority.

5. Therefore, his furlough is rejected.

The convict may be informed under proper acknowledgement.”

3. Counsel for the Petitioner highlights that the reasons for declining furlough to the Petitioner, as noted in the impugned order, were also relied upon by the State when the Petitioner previously requested for furlough. However, notwithstanding such grounds this Court by orders dated 17th November, 2023¹ and 9th October, 2024², granted Petitioner’s request for furlough.

4. The Court has considered the afore-noted. The purpose of grant of furlough is to break the monotony of imprisonment and to enable the convict to maintain societal ties.³ Rule 1199 of the Delhi Prison Rules, 2018 also clarifies that release on furlough is an incentive for the convict for good conduct in prison. As per the latest Nominal Roll, as on 6th April, 2025, the Petitioner has served his sentence for a period of 13 years, 8 months and 22 days. His conduct for the last one year and overall jail conduct has been satisfactory.

5. Additionally, it must be noted that on the previous dates, the State had expressed apprehension about the mental well-being of the Petitioner and

¹ in W.P.(CRL) 2771/2022

² in W.P.(CRL) 3168/2024

³ *State of Gujrat v. Narayan*, 2021 SCC OnLine SC 949.



had sought time to examine the Petitioner from the IBHAS Hospital and accordingly, the proceedings were adjourned. The Petitioner was subsequently sent to IBHAS Hospital as per the directions issued by the Director General of Prisons (PHQ) Tihar, New Delhi, for psychological assessment. As per the review done by the specialist doctor, no adverse opinion has been formed against the Petitioner.

6. In view of the foregoing and considering the fact that the grounds raised in the impugned order have previously been considered and yet furlough has been granted, the Court sees no impediment to grant the Petitioner's request.

7. Accordingly, subject to verification of the address of the Petitioner which shall be done within a period of one week from today, he be released on furlough for a period of three weeks from the date of his release on furnishing a personal bond in the sum of INR 15,000/- with one surety of the like amount with the satisfaction of the Jail Superintendent, and further subject to the following conditions:

- a. The Petitioner shall not leave the National Capital Territory of Delhi during the period of furlough, without the prior permission of this Court.
- b. The Petitioner shall provide the mobile number(s) to the concerned Jail Superintendent and concerned SHO at the time of release, which shall be kept in a working condition at all times.
- c. The Petitioner shall appear before the SHO, P.S. Maurya Enclave, every third day between 11:00 AM and 11:30 AM to mark his presence. However, he shall not be kept waiting for longer than an hour for this purpose.
- d. The Petitioner shall positively surrender before the concerned Jail



Superintendent on the expiry of the period of three weeks from the date of his release.

8. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

9. In view of the above, the present petition is disposed of.

SANJEEV NARULA, J

APRIL 23, 2025/ab