



2025:DHC:1929



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

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Date of Decision: 25.03.2025

+ **W.P.(CRL) 949/2025**

VIKRAM YADAV

.....Petitioner

Through: Ms. Urvashi Jain, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Arjit Sharma, Advocate with SI
Anil from PS Seemapuri

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The petitioner has assailed order dated 02.01.2025 passed by the jail authorities, rejecting his request for being released on first spell of furlough. Learned counsel for respondent accepts notice.

2. It appears that the petitioner, suffering jail sentence in case FIR No.611/2001 and FIR No. 261/2001 for offences under Sections 186/353/307/34 IPC and Section 302/364A/384/419/120-B IPC of PS Badarpur and PS Seemapuri respectively, sought his release on furlough but his request was declined by way of the impugned order for the reason that on the earlier occasion, when he was released on furlough, he surrendered late by six days and thereby violated the conditions of furlough. As reflected from the impugned order, the petitioner was released on furlough with effect

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from 27.10.2023 to 10.11.2023, after which he was exempted from surrender by the Hon'ble Supreme Court till 01.10.2024 and on 01.10.2024, his appeal was dismissed, directing his immediate surrender but he surrendered on 07.10.2024.

3. It is submitted by learned counsel for petitioner that petitioner failed to surrender on 01.10.2024 itself because the counsel representing him before the Supreme Court failed to communicate to him about dismissal of the appeal and directions to surrender.

4. In similar circumstances, before a coordinate bench in W.P.(Crl) 353/2025, learned Standing Counsel for State had submitted that the petition could be disposed of without calling any reply from State. In present case also, there is no serious objection and rightly so.

5. In above circumstances, I am satisfied with the explanation advanced on behalf of petitioner as regards the delay in surrendering on the earlier occasion.

6. Entitlement of the petitioner to be released on furlough in view of the period already undergone by him in jail and his conduct is not in dispute.

7. Therefore, the petition is allowed and impugned order dated 14.02.2025 is set aside, directing release of the petitioner on furlough for a period of three weeks subject to his furnishing a personal bond in the sum of



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Rs. 10,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent and also subject to the condition that he shall not leave the National Capital Region without informing the local SHO, to whom he shall provide his mobile phone number, which mobile phone number shall remain constantly switched on. Upon expiry of three weeks from the date of release, the petitioner shall surrender before the Jail Superintendent. Copy of this order be sent to the Jail Superintendent for necessary compliance.

**GIRISH KATHPALIA
(JUDGE)**

MARCH 25, 2025/ry