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

+ **W.P.(CRL) 966/2025**

GUDDU

.....Petitioner

Through: Mr. Rohan J.Alva (DHCLSC) with
Mr. Anant Sanghi, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel for
State with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya and Mr. Aryan
Sachdeva, Advocates with SI Sourav
Singh, P.S.Mangolpuri.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.03.2025

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1. Writ Petition under Article 226 of the Constitution of India has been filed for quashing of Reference Order dated 14.02.2025 and for releasing the Petitioner on first spell of Furlough for three weeks.
2. It is submitted that the Petitioner is undergoing his sentence and has been in jail for more than 19 years and 9 months. He applied to the Competent Authority for grant of first spell of Furlough for three weeks on 23.01.2025, but the same has been rejected *vide* Order dated 14.02.2025 on the ground that he is an habitual offender. However, on two previous occasions the Furlough was denied by the Competent Authority on the same ground but *vide* Orders dated 25.04.2024 and 02.12.2024 this Court had set aside the rejection Order and granted the Furlough.



3. It is, therefore, submitted that he be granted first spell of Furlough for three weeks.

4. Learned Standing Counsel for the State submits that there is no denial that the Petitioner is a habitual offender since there are two FIRs of 302 IPC and one of 307 IPC against the Petitioner. The impugned Order does not suffer from any infirmity.

5. **Submissions heard and record perused.**

6. Earlier, on two occasions the Competent Authority *vide* Orders dated 16.10.2024 and 17.07.2023 denied the Furlough Applications on the same ground, but the Orders have been set aside and the Furlough granted by this Court *vide* Order dated 02.12.2024 and 25.04.2024. It has been noted that even though there were three FIRs registered against him, but his conduct in jail was found to be satisfactory in the last three years and nothing adverse has been reported.

7. He had been last released on Furlough *vide* Order dated 02.12.2024 and there is nothing untoward which has been reported.

8. Thus, considering the overall facts and circumstances of the case, and that the Petitioner has already been granted Furlough on previous occasions and has been in judicial custody for more than 19 years and 9 months, the Petitioner is granted Furlough for a period of three weeks which is to be counted from the date of his release, on the following conditions: -

- i. The petitioner shall furnish a personal bond in the sum of Rs.5000/- 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. Immediately upon the expiry of period of Furlough, the petitioner shall surrender before the Jail Superintendent.

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

10. A copy of this judgment be forwarded to the concerned Jail Superintendent for information and compliance.

NEENA BANSAL KRISHNA, J

MARCH 26, 2025

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