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

+ W.P.(CRL) 1017/2025

NAUSHAD

.....Petitioner

Through: Mr. Siddharth Yadav,
Advocate.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjay Lao, Standing
Counsel with Mr. Abhinav
Kumar and Ms. Priyam
Aggarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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16.04.2025

1. The present petition is filed seeking grant of parole for a period of sixty days in FIR No. 136/2006 registered at Police Station Welcome for the offences under Sections 302/307/449/34 of the Indian Penal Code, 1860 ('**IPC**').
2. Considering the objections raised by the State that the parole cannot be granted for more than 08 weeks in one conviction year, the learned counsel for the petitioner submits that the present petition may be considered for seeking release of the petitioner on furlough. He submits that the petitioner has not availed the benefit of furlough in the current conviction year.
3. The State does not dispute that the petitioner has not availed the benefit of furlough in the current conviction year. The convict, is entitled to be released on furlough for a period of seven weeks in three spells viz. three weeks, two weeks and two weeks in one conviction year subject to satisfying other conditions.
4. No objection otherwise has been raised by the respondent

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on the eligibility of the petitioner on being released either on parole or furlough. It is not the case of the respondent that the petitioner is not eligible for being released on furlough.

5. It is not disputed by the State that the marriage of the son of the petitioner is scheduled on 18.04.2025.

6. In view of the above, present petition is allowed and the petitioner is directed to be released forthwith on first spell of furlough for a period of three weeks on the following conditions:

- a. The petitioner shall furnish a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent;
- b. The petitioner shall submit his residential address, where he shall be residing after his release, to the concerned Jail Superintendent, and shall not change the same without informing the concerned Jail Superintendent;
- c. The Jail Superintendent shall release the petitioner after verification of the address;
- d. The petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM and shall not leave the National Capital Territory of Delhi during the period of furlough;
- e. The petitioner shall furnish his mobile number to the Jail Superintendent as well as to the SHO of the concerned Police Station on which he can be contacted if required. The said mobile number shall be kept active and operational at all times by the petitioner;
- f. The petitioner shall not indulge in any criminal activity during the period of furlough;



- g. Immediately upon the expiry of period of furlough, the petitioner shall surrender before the concerned Jail Superintendent;
 - h. During this period, co-accused, if any, shall not be released on parole/furlough;
 - i. The period of furlough shall commence from the date of actual release of petitioner.
7. Since the marriage of the petitioner is stated to be scheduled for 18.04.2025, the Jail Superintendent is directed to expedite the release of the petitioner.
8. A copy of this order be communicated to the concerned Jail Superintendent for information and compliance.
9. The petition stands disposed of in the aforesaid terms.

AMIT MAHAJAN, J

APRIL 16, 2025

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