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

+ **W.P.(CRL) 1070/2025**

SEEMA @ PRABHA

.....Petitioner

Through: Mr. Zeeshan Diwan, (DHCLSC) with
Mr. Harsha and Mr Akshat Jain,
Advocates

versus

**THE STATE (NCT OF DELHI)
THROUGH CHIEF SECRETARY,**

.....Respondent

Through: Mr. Rahul Tyagi, ASC for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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05.05.2025

1. By way of the present petition, the petitioner seeks issuance of a writ, in the nature of mandamus, directing the respondents to release the petitioner on furlough for, a period of three weeks.
2. The petitioner is presently confined in Central Jail No. 6, Tihar, Delhi. By virtue of order on sentence dated 08.01.2018, the petitioner was convicted under Sections 302/120B of Indian Penal Code, 1860 (hereafter 'IPC') in case arising out of FIR bearing No. 212/2013, registered at Police Station Sultanpuri Raj Park, Delhi and was sentenced to undergo life imprisonment with fine of Rs.10,000/- and in default of payment of fine, he was further directed to undergo simple imprisonment of three months. His appeal against conviction i.e., CRL.A. 955/2018 was dismissed by this Court



on 24.05.2019.

3. The learned counsel for the petitioner states that the application filed by the petitioner before the competent authority for grant of furlough has been rejected on the ground that there was a delay of one day in surrendering before the concerned authority. It is also stated that the competent authority despite there being no adverse report or punishment awarded to him throughout his period of incarceration has rejected the application. It is also argued that the conduct of the petitioner has remained satisfactory in jail. It is further argued that as per catena of judgments of this Court as well as of the Hon'ble Apex Court it has been held that the release on parole/furlough is a valuable right of a convict and the same cannot be curtailed. Therefore, the petitioner has prayed that he be released on first spell of furlough for a period of three weeks.

4. This Court has heard arguments on behalf of both the parties and has gone through the material placed on record.

5. The nominal roll has been received.

6. A perusal of Nominal Roll does not reveal any misconduct. Moreover, and the conduct of the petitioner has been recorded to be satisfactory.

7. While considering the present writ petition for grant of furlough, the Court also has to remain conscious of the fact that the petitioner has been awarded rigorous imprisonment for life and that as per Nominal Roll. The petitioner has undergone about 12 years of incarceration till date excluding remission of about 01 year 09 months and 06 days. As far as the the overall jail conduct of the petitioner is concerned, it has been reported as satisfactory as per the nominal roll.

8. Thus, considering that the record maintained by the prison authorities



itself reveals that the petitioner's conduct in the last several years, has been satisfactory and no punishment has been awarded to him during his period of incarceration. Moreover, he has not been granted furlough till date. Therefore, this Court is inclined to grant furlough to the present petitioner for three weeks from the date of his release, on the following conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, 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.
 - v. The period of furlough shall be counted from the day when the petitioner is released from jail.
9. In above terms, the present writ petition along with pending application, if any, is disposed of.
10. A copy of this order be sent by the Registry to the Jail Superintendent concerned.
11. The order be uploaded on the website forthwith.

MAY 5, 2025/zp

DR. SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)