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

+ **W.P.(CRL) 1678/2025**

KRISHAN RAM

.....Petitioner

Through: **Ms. Sunita Arora (DHCLSC),
Advocate.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Yasir Rauf Ansari, ASC for State
with SI Vinod Bhati, P.S. Mehrauli.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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20.05.2025

CRL.M.A. 15678/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

W.P.(CRL) 1678/2025

3. A Writ Petition under Article 226 of the Constitution of India read with Section 528 of BNSS has been filed on behalf of the petitioner for quashing of impugned Rejection Order No.F.10 (003504883)/CJ LEGAL/PHQ/2025/1008 dated 19.04.2025 for directing release of Petition on furlough for a period of three weeks.

4. It is submitted that the Petitioner has been released on furlough on several occasions and he has never misused his liberty. He was released on



Emergency Parole for 90 days on 16.05.2021 till 14.08.2021 which was extended from time to time till 06.04.2023. The Petitioner was arrested from his home on 22.03.2024 and re-admitted in Prison.

5. Punishment dated 30.09.2024 was imposed for surrendering late and his *mulaqat* was stopped for three weeks.

6. The learned Inspecting Judge vide Order dated 16.11.2024 did not approve the Punishment Ticket dated 30.09.2024. The Petitioner applied for grant of furlough for a period of 3 weeks on 26.03.2025, which was rejected by the Competent Authority. It is submitted that this rejection has been made mechanically without application of mind. The delay in surrender was only because he had no intimation of the date of surrender.

7. Hence, it is submitted that he be released on first spell of furlough for three weeks.

8. Learned APP for the State submits that appropriate Orders may be made subject to verification of the address of the petitioner.

9. **Submissions heard and record perused.**

10. The only reason for denial of furlough is that he had surrendered late, but it has already been noted that the delay in surrender was only because he was released on Emergency Parole in 2021 on account of COVID Pandemic and was not aware of the date of surrender. The punishment has not even been confirmed by the learned ASJ.

11. In view of the circumstances, the petitioner be released on **first spell** of furlough for a period of **three weeks**, on the following terms and 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. The petitioner shall ordinarily reside at the address mentioned in the Petition.

v. Immediately upon the expiry of period of furlough, the Petitioner shall surrender before the Jail Superintendent.

vi. The period of furlough shall be counted from the day when the Petitioner is released from jail.

12. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

MAY 20, 2025/va