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

+ **W.P.(CRL) 2104/2025**

KARAN SINGH

.....Petitioner

Through: Mr. Pratap Singh, Mr. Navneet
Sharma, Mr. Ajay Sharma,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Nitish, Advocate on behalf of Mr.
Amol Sinha, ASC with SI Mohit
Kumar.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

22.08.2025

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1. This is a petition under Article 226 of the Constitution of India read with Section 528 of BNSS, 2023, for quashing the rejection order dated 13.06.2025 and for directions to the respondent to release the petitioner on furlough.
2. Petitioner was convicted in case FIR No. 508/2008, PS Sangam Vihar, under Section 302 IPC and has been sentenced with imprisonment for life. Presently, he is serving sentence in Tihar Jail.
3. Petitioner filed an application for the grant of furlough but the same has been rejected vide order dated 13.06.2025 by the Competent Authority for the following reasons:-

“1. The said prisoner is not fulfilling criteria referred in Para 1224(iii) of Delhi Prison Rules, 2018 for grant of furlough as the said convict was



released on parole for the period of 04 weeks w.e.f. 08.01.2019 to 05.02.2019 by the order of Hon'ble High Court of Delhi but he jumped parole and re-arrested on 07.06.2019.

Para 1224(iii) of Delhi Prison Rules, 2018 is referred as under:-

"Prisoners who are considered dangerous or have been involved in serious prison violence like assault, outbreak of riot, mutiny or escape, or **rearrested who absconded while released on parole or furlough** on who have been found to be instigating serious violation of prison discipline as per the reports in his/her annual good conduct report, shall not be eligible for release on furlough.

2. Delhi Police has strongly opposed for grant of furlough. The presence of the said convict may affect the law and order situation as well as the overall security of the area."

4. Learned counsel for the petitioner submits that petitioner has already undergone incarceration for more than 16 years in actual without remission of sentence. He states that petitioner has earned three Annual Good Conduct Reports and is therefore entitled for the grant of furlough.

5. It is submitted that the order rejecting the furlough application of the petitioner is totally arbitrary and against the law and was passed without any application of mind in a very generic and routine manner. Learned counsel further submits that petitioner is seeking furlough for a period of three weeks to maintain social ties with his family and friends. It is stated that petitioner has been maintaining good conduct inside the jail and in the past, many such convicts were granted similar relief for maintaining good conduct inside the jail for three years. It is also argued that petitioner is in continuous incarceration for last more than six years and needs to breathe fresh air and wants to maintain family as well as social ties.

6. Mr. Nitish, learned counsel appearing on behalf of Mr. Amol Sinha, ASC files the status report, which is taken on record. He submits that the residential address furnished by the petitioner in his petition, has been duly



verified and submits that he has instructions to state that State has no objection to the grant of furlough to the petitioner.

7. The application for grant of furlough was rejected mainly on account of the reason that in the past, petitioner was released on parole for a period of four weeks w.e.f. 08.01.2019 to 05.02.2019, but he jumped the parole and was re-arrested on 07.06.2019.

8. While considering the present writ petition for the grant of furlough, the Court has to remain conscious of the fact that petitioner has been awarded imprisonment for life, and as per the nominal roll, he has already remained in incarceration for more than 16 years.

9. The Court cannot overlook the circumstances and the family exigencies that may have arisen in the family of the petitioner. Needless to say, while dealing with an issue relating to grant of parole to a convict, the Courts are required to balance the interests of the convict as well as of the society. However, the Courts are also required to consider cases, such as present one, with sensitivity and compassion and an opportunity may be provided to a convict to re-establish social ties.

10. The Court notes that the purpose of enactment of provision of furlough is to facilitate the maintenance of family and social ties of the convicts, supporting their rehabilitation and re-integration into society, providing them relief from the rigors of imprisonment promoting their positive behaviour and discipline within the prisons and contributing to their overall well-being and emotional health. The concept of furlough has been explained in Delhi Prison Rules, 2018 in the following words:-

“1197. Parole and Furlough to inmates are progressive measures of correctional services. The release of prisoner on parole not only saves him from the evils of incarceration but also enables him to maintain social



relations with his family and community. It also helps him to maintain and develop a sense of self-confidence. Continued contacts with family and the community sustain in him a hope for life. The release of prisoner on furlough motivates him to maintain good conduct and remain disciplined in the prison.”

11. It is also noted that Rule 1200 of the Delhi Prison Rules, 2018 provides insights into the objectives which are sought to be achieved by releasing a convict on parole or furlough. Rule 1200 reads as under:

“1200. The objectives of releasing a prisoner on parole and furlough are:
i. To enable the inmate to maintain continuity with his family life and deal with familial and social matters,
ii. To enable him to maintain and develop his self-confidence,
iii. To enable him to develop constructive hope and active interest in life,
iv. To help him remain in touch with the developments in the outside world,
v. To help him remain physiologically and psychologically healthy,
vi. To enable him to overcome/recover from the stress and evil effects of incarceration, and
vii. To motivate him to maintain good conduct and discipline in the prison.”

12. Guideline No. 25 of the Standing Order No. 01/2019 is reproduced as under:-

“If the prisoner commits an offence. during the period he is released on furlough or abscond/jump then the period will not be counted as sentence undergone. In such case the prisoner will be required to earn fresh AGCR for three consecutive years to become eligible for furlough”.

13. As per rejection order dated 13.06.2025, petitioner had jumped the furlough in the year 2019. Since last six years, he has not been granted parole or furlough. Hence, taking into account the facts and circumstances, and in particular the fact that petitioner has been under incarceration for the last more than 16 years and has not been granted furlough in the previous six



years, coupled with the fact that State has no serious objection to the grant of furlough, this Court is inclined to release the petitioner on first spell of furlough of three weeks on his furnishing a personal bond of Rs. 10,000/- with a surety of the like amount to the satisfaction of the concerned Jail Superintendent on the following conditions:-

- a) that in the event of change of petitioner's address, he is directed to promptly notify the concerned Jail Superintendent;
- b) petitioner shall report to the SHO PS Sangam Vihar once a week on every Wednesday at 11.00 am. The concerned officer shall release the petitioner immediately after recording his presence and completing all the necessary formalities;
- c) petitioner shall provide his mobile number to the concerned jail authorities and to SHO PS Sangam Vihar and ensure that it remains operational all the times;
- d) petitioner shall not attempt to contact the victim's family in any manner or even go near their residence at any time;
- e) petitioner shall surrender before the concerned jail authority immediately upon the expiry of his furlough.

14. With the above directions, the petition stands disposed of.

15. Copy of this order be sent to concerned Jail Superintendent for information and necessary compliance.

RAVINDER DUDEJA, J.

AUGUST 22, 2025/na