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

+ **W.P.(CRL) 2231/2025**

RANJEET MUKHIYA

.....Petitioner

Through: Ms. Sanya Kumar, Advocate from
DHCLSC

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC for the State
with Mr. Sangeet Sibou, Mr. Priyansh
Raj Singh Senger & Mr. Aniket
Kumar Singh, Advocates

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **21.07.2025**

1. This is a petition under Article 226 of the Constitution of India read with Section 528 BNSS filed on behalf of the petitioner challenging the impugned order no. F.4/SCJ-4/AS(CT)/2025/585 dated 25.04.2025 by which the petitioner's prayer for furlough was rejected. The rejection was based on petitioner's one day delayed surrender from furlough which was granted for two weeks from 21.12.2024 to 04.01.2025.
2. Learned counsel for the petitioner submits that one day delay was on account of delayed arrival of the train from Darbhanga. Along with the petition a copy of the train ticket has been annexed as Annexure 'B'.
3. Learned ASC fairly states that petitioner surrendered late in Jail by one day. He submits that in the light of Rule 1239 of Delhi Prison Rules,



2018, petitioner is not eligible for furlough for a period of one year.

4. The nominal roll dated 11.07.2025 received from the Office of Jail Superintendent indicates that petitioner had already undergone custody of more than 11 years 8 months as on 11.07.2025. The petitioner has been released on furlough/parole many times before. Admittedly, on one such occasions in April 2023, there was delay of 14 days in surrendering and on the second occasion, he surrendered late by one day in the year 2025. The purpose of releasing the convicts on parole/furlough is to enable them to maintain social ties.

5. Learned counsel appearing for the petitioner submits that petitioner never intended to surrender late however due to unforeseen circumstances not in his control, has caused the delay of one day. Petitioner himself voluntarily surrendered the next day during the day time.

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

“1199. Furlough means release of a prisoner for a short period of time after a gap of certain qualified numbers of years of incarceration by way of motivation for maintaining good conduct and to remain disciplined in the prison. This is purely an incentive for good conduct in the prison. Therefore, the period spent by the prisoner outside the prison on furlough shall be counted towards his sentence.”

7. 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.”

8. Considering the overall conduct of the petitioner and the fact that the delay on his part to surrender was only of one day, and that too because of the delayed arrival of the train, I am of the view that petitioner is entitled to grant of furlough for a period of three weeks.

9. Learned counsel for the petitioner submits due to long incarceration, petitioner has lost contact with his family, staying in a village in Bihar, and his family members are unable to come due to financial constraints, and therefore, petitioner is not in a position to furnish surety. She states that petitioner undertakes to surrender before the Jail Authority after availing three weeks of furlough. She therefore prays that petitioner be released on furlough subject to his furnishing personal bond only. The last furlough granted to the petitioner was for a period from 21.12.2024 to 05.01.2025 by DG Prisons.

10. Keeping in view the submissions made, the Court is inclined to grant



furlough to the petitioner for a period of three weeks from the date of his release, subject to the previous terms and conditions to the satisfaction of the concerned Jail Superintendent.

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

12. The petition accordingly stands disposed of.

RAVINDER DUDEJA, J.

JULY 21, 2025/ib