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

+ **W.P.(CRL) 2520/2025**

SURJEET @ BACCHA

.....Petitioner

Through: Mr. Siddharth Yadav and Mr. Anmol
Kumra Pandey, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Ms. Rupali Bandhopadhyay, ASC.
SI Harsh, PS: Paharganj.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **11.09.2025**

CRL.M.A. 27154/2025(seeking early hearing)

1. For the grounds and reasons stated in the application, the same is allowed. With the consent of counsel for parties, the main matter is taken up on board today itself.

2. Disposed of.

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3. The present petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 482 of the Code of Criminal Procedure, 1973), seeks quashing of order dated 06th August, 2025, rejecting Petitioner's request for furlough and seeking grant of first spell of furlough for a period of three weeks.



4. The Petitioner is a convict in FIR No. 189/2010 registered under Sections 302/307/323/324/452/34 of the Indian Penal Code, 1860¹ at P.S. Pahar Ganj and is currently serving life imprisonment.

5. Petitioner's request was declined by order dated 06th August, 2025 on the ground that Petitioner failed to surrender while he was released on furlough and was re-arrested in another case i.e., FIR no. 98/2018 under Sections 302/307/34 IPC and Sections 25/27/54 of the Arms Act, 1959 registered at PS: Sadar Bazar. Therefore, he was not deemed entitled to be released on furlough in view of Rule 1224(iii) of the Delhi Prisons Rules, 2018.

6. Counsel for the Petitioner points out that the Petitioner is on bail in FIR no. 98/2018. This fact has been duly verified by the State.

7. As per Nominal Roll as on 26th August, 2025, the Petitioner has remained in custody for 14 years, 04 months and 06 days; and he has also earned remission of 03 years, 08 months and 19 days. His jail conduct for the last year has been reported to be satisfactory, and he has been granted parole subsequent to the aforementioned infraction on two occasions by this Court.

8. In view of the above and considering the fact that the Petitioner has been released on bail in the other case, the Petitioner's request for first spell of furlough for a period of three weeks is allowed. Accordingly, the Petitioner is directed to be released on furlough, on furnishing of a personal bond in the sum of INR 10,000/- with one surety of the like amount subject to the satisfaction of the Jail Superintendent/Trial Court/Duty Magistrate, and further subject to the following conditions:

¹ "IPC"



- (i) The Petitioner shall not leave the NCT of Delhi during the period of furlough, without the prior permission of this Court.
- (ii) The Petitioner shall provide the mobile number(s) to the concerned Jail Superintendent and SHO, at the time of his release, which mobile number shall be kept in a working condition at all times.
- (iii) The Petitioner shall not tamper with any evidence or contact any prosecution witnesses in case(s) pending against him;
- (iv) The Petitioner shall appear before the concerned SHO on every Monday between 11:00 AM and 11:30 AM to mark his presence. However, he shall not be kept waiting for longer than one hour for this purpose.
- (v) The Petitioner shall positively surrender before the concerned Jail Superintendent on the expiry of the period of furlough.
- (vi) The Petitioner shall convey any change of address immediately to the SHO/IO;
- (vii) The Petitioner shall also provide his mobile number to the concerned SHO/IO.
- (viii) The Petitioner shall keep his such mobile 'Switch On' at all the time;
- (ix) The Petitioner shall not indulge in any kind of criminal activities;
9. With the above directions, the present petition stands disposed of.
10. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
11. The date already fixed i.e., 14th October, 2025, stands cancelled.

SANJEEV NARULA, J

SEPTEMBER 11, 2025/d.negi