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

+ **W.P.(CRL) 2614/2025**

AKRAM

.....Petitioner

Through: Mr. Shannu Baghel, Mr. Ganpat Ram,
Mr. Vikas Pal and Mr. Aakash,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, SC.
SI Rekha Chauhan, P.S. Pandav
Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

17.10.2025

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1. The present petition filed under Article 226 of the Constitution of India, 1950 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 482 of the Code of Criminal Procedure, 1973) assails Order No. F.10(3480231)/CJ/Legal/PHQ/2025/4409 dated 5th August, 2025, rejecting the Petitioner's request for furlough.

2. As per the impugned order, the Petitioner had previously been released on furlough from 22nd April, 2024 to 06th May, 2024. During this period, the Petitioner got arrested on 2nd May, 2024, in relation to another FIR, bearing No. 229/2024, registered under Sections 307, 323 and 34 of the Indian Penal Code, 1860,¹ at P.S. Pandav Nagar. In light of this arrest, his request for release on furlough was rejected citing ineligibility as per Rules



1224 (iii) and 1223 (i) of the Delhi Prison Rules, 2018.

3. Counsel for the Petitioner argues that the Petitioner has already been granted bail in the aforesaid case. He contends that, in light of the fundamental principle of presumption of innocence until proven guilty, the mere registration of an FIR, cannot by itself, be treated as a valid ground to deny the Petitioner's subsequent requests for furlough, disregarding his otherwise unblemished record of good conduct during his incarceration over the past fourteen years.

4. On the other hand, Mr. Sanjay Lao, Standing Counsel for the State, emphasizes that the Petitioner's conduct during the period of furlough, wherein he was implicated in a serious offence under Section 307 IPC, disentitles him from any further indulgence by way of furlough, which is a reward for good conduct.

5. As per the status report filed by the State, the Petitioner is allegedly involved in FIR No. 229/2024, registered under Sections 307/323/34 of the IPC. It is alleged that the Petitioner had a direct role in the incident, having assaulted the victim and caused injuries. However, it must be noted that the Petitioner has already been granted bail in the said case.

6. The latest nominal roll placed on record reveals that as of 12th September, 2025, the Petitioner has been in custody for 15 years, 4 months, and 23 days, and has earned remission of 4 years, 5 months, and 11 days. His jail conduct over the past one year has been reported as satisfactory. It is further noted that the Petitioner was granted furlough on multiple occasions and did not misuse the liberty granted, except when he is stated to have been re-arrested in connection with the aforementioned case.

¹ "IPC"



7. It is further pertinent to note that the provision of furlough is a benevolent one and is designed for the welfare of prisoners. The provision has the intent of rewarding prisoners for their good behaviour, when traces of reformation can be seen in them.

8. Accordingly, in light of the foregoing facts Advocate circumstances, the impugned order bearing No. F.10 (3480231)/CJ/Legal/PHQ/2025/ 4409 dated 5th August, 2025 passed by the Respondent is hereby set aside. The Petitioner is directed to be released on first spell of furlough for a period of 21 days, to re-establish the social-ties with family members, on furnishing of a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the Jail Superintendent/Trial Court/Duty Metropolitan Magistrate, and further subject to the following conditions:

- (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 - P.S. Pandav Nagar, Delhi, at the time of his release, which mobile number shall be kept in a working condition at all times.
- (iii) The Petitioner shall appear before the SHO - P.S. Pandav Nagar, Delhi, 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.
- (iv) The Petitioner shall positively surrender before the concerned Jail Superintendent on the expiry of the period of furlough.

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. Disposed of.

SANJEEV NARULA, J

OCTOBER 17, 2025

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