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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3139/2025**

YOGESH SHARMA @ YOGIPetitioner

Through: Mr. Siddharth Yadav and Mr. Anmol
Kumar Pandey, Advs.

versus

STATE (NCT OF DELHI)Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advs.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **26.09.2025**

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 ("BNSS") has been filed on behalf of the Petitioner challenging Order dated 19.09.2025, vide which grant of second spell of Furlough was denied to him.

2. It is submitted that his Application for second spell of Furlough rejected on the ground that there must be at least one month gap between Furlough and Parole.

3. It is further submitted that there is no such Rule in Delhi Prison Rules, 2018, which is confined only to a spell of Furlough and Parole and not between two Furloughs. Therefore, Furlough is sought on the ground of *Barsi* of his mother on 30.09.2025.

4. Learned ASC for the State however, submits that even though Delhi Prison Rules, 2018, specifically states for gap of one month between Parole and Furlough, but the same analogy applies to the leave sought for Parole and Furlough. The Application has been rightly rejected by Jail Authorities.

Submissions heard and record perused.



5. Delhi Prison Rules, 2018, itself permit that in extraordinary circumstances, the Parole and Furlough may be granted to the Applicant.

6. In view of aforesaid, as the *Barsi* of Applicant's mother on 30.09.2025, he is granted Second Spell of Furlough for fifteen (15) days w.e.f. 28.09.2025, upon his furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent and subject to the following conditions:-

- a) 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.
- b) 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.
- c) The petitioner shall ordinarily reside at the address mentioned in the Petition.
- d) Immediately upon the expiry of period of furlough, the Petitioner shall surrender before the Jail Superintendent.
- e) The period of furlough shall be counted from the day when the Petitioner is released from jail.

7. The Petition is accordingly disposed of. Pending Application, if any, also stands disposed of.

8. A copy of this Order be forwarded to the learned Trial Court and Jail Superintendent for information.

NEENA BANSAL KRISHNA, J.

SEPTEMBER 26, 2025/R