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

+ **W.P.(CRL) 3609/2024**

RAJESH

.....Petitioner

Through: **Mr. Siddharth Yadav, Advocate**

versus

STATE (NCT OF DELHI)

.....Respondent

Through: **Mr. Sanjay Lao, Standing Counsel for
State with Mr. Priyam Agarwal,
Advocate
SI Vikas, P.S. Inderpuri**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

09.01.2025

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1. This is a petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed seeking quashing of the order dated 29.10.2024 passed by the Respondent.

2. Learned counsel for the Petitioner states that the Petitioner is seeking second spell of furlough for a period of two (2) weeks. He states that only reason for declining the prayer for the second spell of the furlough is that on the last furlough, the Petitioner was late by one (1) day in surrendering. He states that, however, as is apparent from the Nominal Roll issued on 05.12.2024, the Petitioner has been out on four (4) furloughs and on previous three (3) furloughs, there was no delay. He states that the delay of



one (1) day on the fourth furlough was on account of the ill health of the wife of the Petitioner. He states that the Petitioner undertakes that there will be no delay in surrendering this time.

3. He states that the urgency in seeking furlough is that the Petitioner's daughter is getting married on 08.02.2025 and the Petitioner needs to make arrangements as well as attend the ceremony.

4. In the facts noted above, this Court is satisfied that the Petitioner is entitled to a furlough w.e.f. 30.01.2025 for a period of two (2) weeks, subject to the following conditions: -

i. The Petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent concerned.

ii. The Petitioner shall furnish the address where he shall reside during the period of parole to the concerned Jail Superintendent.

iii. During the period the Petitioner remains out on furlough, the Petitioner shall report to the SHO, PS Inderpuri, every Sunday between 10:00 AM to 11:00 AM and will not be kept waiting for more than an hour.

iv. The Petitioner shall also provide the Jail Superintendent and the SHO, PS Inderpuri, with mobile telephone number, which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the SHO concerned.

v. The Petitioner shall not leave the National Capital Territory of Delhi during the period of furlough, without the prior permission of this Court.

vi. The Petitioner is directed to surrender before the concerned Jail Superintendent on the expiry of the period of furlough.

5. The Petitioner will be at liberty to complete all the formalities for



being released on furlough between today and 29.01.2025.

6. Accordingly, the petition is disposed of. Pending applications (if any) are also disposed of as being rendered infructuous.

7. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

8. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JANUARY 9, 2025/msh/MG

[Click here to check corrigendum, if any](#)