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

+ **W.P.(CRL) 3622/2024 & CRL.M.(BAIL) 1927/2024**

SUNIL KUMAR

.....Petitioner

Through: **Mr. Paran Kumar, Advocate (through
VC)**

versus

THE STATE OF DELHI & ANR.

.....Respondents

Through: **Mr. Amol Sinha, ASC for the State
with Mr. Kshitiz Garg, Mr. Ashvini
Kumar and Mr. Rahul Kochar, Advs.
with Inspector Arun Kumar, PS
Prasad Nagar.**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **03.02.2025**

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking bail/parole/furlough in FIR No. 270/1998, under Sections 302/34 Indian Penal Code, 1860 (IPC), registered at Police Station (P.S.) Prasad Nagar.
2. The Nominal Roll dated 25.01.2025 has been received.
3. The Nominal Roll shows that the Petitioner was last granted furlough on 27.03.2024 for a period of two (2) weeks and he was thereafter exempted from surrendering until 01.10.2024.



4. The Petitioner's conviction year began on 24.11.2024 and the Petitioner is thus, entitled to apply for first spell of furlough in this year.
5. Learned Additional Standing Counsel (ASC) states that the verification report shows that the daughter-in-law of the Petitioner has given birth to a child on 09.11.2024. He states that the Petitioner ought to have applied to the competent authority for furlough and should not have approached this Court directly.
6. Keeping in view the fact that this petition was first listed before this Court on 20.11.2024 and no such objection was raised by the Respondent to facilitate at that stage this Court is not inclined to accept the objection of maintainability.
7. To ensure an early adjudication of the prayer of the Petitioner for furlough, the competent authority is directed to treat the present petition along with the status report filed by the SHO, P.S. Prasad Nagar as an application on behalf of the Petitioner for grant of first spell of furlough for the conviction year, which has commenced on 24.11.2024.
8. The competent authority is directed to hear and decide the said application within a period of two (2) weeks and communicate the order to the Petitioner forthwith.
9. With the aforesaid directions, the petition stands disposed of.
10. List for compliance on 06.03.2025.
11. A copy of this order be sent to the Jail Superintendent, Central Jail Tihar, New Delhi for necessary direction and compliance.
12. 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
FEBRUARY 3, 2025/msh/AKT

Click here to check corrigendum, if any