



2025:DHC:2450



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 08.04.2025

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W.P.(CRL) 3887/2024**GANGA SAHAY**

.....Petitioner

Through: Ms. Ruchira Goel, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Abhijeet Kumar, Advocate with
W/SI Rekha Chand and Inspector
Sushil Sharma, PS Vijay Vihar.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. In furtherance of last effective order (19.02.2025) status report dated 07.04.2025 was filed to the effect that the address where the petitioner proposes to reside during the period of furlough was found not correct. In the detailed status report, the SHO, Vijay Vihar submitted that wife and son of petitioner are residing at F-111, Mangeram Park, Budh Vihar, Phase-2, Delhi. Learned counsel for petitioner submits that petitioner intends to reside at the said address with his wife and son.

2. As regards the impugned order dated 01.10.2024, the furlough plea of the petitioner was rejected by the Jail Authorities solely on the ground of punishment ticket dated 07.04.2024, according to which the petitioner did

*W.P.(CRL) 3887/2024**Page 1 of 2 pages*GIRISH KATHPALIA Digitally signed by GIRISH KATHPALIA
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not timely surrender after being released on emergency parole during covid pandemic. In this regard, it is contended on behalf of petitioner that he was never informed the date when he has to surrender in jail. Learned counsel for respondent submits that intimation of date of surrender was given over telephone to wife of the petitioner.

3. However, learned counsel for respondent in all fairness also points out that according to status report dated 13.02.2025, the petitioner would in any case be eligible for being granted furlough with effect from 07.04.2025.

4. Considering the above circumstances, the impugned order is set aside and the petition is allowed. The petitioner is directed to be released on furlough for a period of three weeks subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent and also subject to the condition that the petitioner shall reside during the period of furlough at F-111, Mangeram Park, Budh Vihar, Phase-2, Delhi. The concerned Jail Superintendent at the time of releasing the petitioner shall inform him in writing the specific date when he has to surrender.

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**GIRISH KATHPALIA
(JUDGE)**

APRIL 08, 2025/ry