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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 130/2026**
HANS RAJPetitioner

Through: Ms. Vrinda Bhandari, Advocate
(DHCLSC) with Ms. Pragya
Barsaiyan, Advocates.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Sanjay Lao, SC (Crl.) with Insp.
Hitendra Kumar and SI Ekta.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **28.04.2026**

1. Petitioner herein is aggrieved by order dated 24.12.2025 whereby his prayer for grant of furlough has been rejected.
2. The reason for rejection is that the petitioner has been found to be “habitual offender”.
3. Admittedly, as per the notification dated 30.12.2024, the definition of “habitual offender” is as under:-

“Habitual offender means a person who during any continuous period of five years, has been convicted and sentenced to imprisonment on more than two occasions on account of any one or more of the offences committed on different occasions and not constituting parts of same transaction, such sentence not having been reversed in appeal or review.

Provided that in computing the continuous period of five years referred to above, any period spent in jail either under sentence of imprisonment or under detention shall not be taken into account.”

4. Learned counsel for petitioner submits that the abovesaid rejection order has not appreciated the abovesaid definition of “habitual offender” in right perspective and the relevant dates of the conviction of the petitioner in the other cases have not been specified and even the proviso attached to the abovesaid definition has also not been considered.

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5. Undoubtedly, the rejection order does not give the details with respect to the cases in which the petitioner had been convicted and sentenced to imprisonment on more than two occasions during any continuous period of five years.

6. In view of above, the present petition is disposed of while directing the *Competent Authority* to reconsider the request of the petitioner for grant of furlough and dispose of the same by way of a speaking order, while also giving requisite details with respect to the cases in which he had been convicted and sentenced on more than two occasion during any continuous period of five years. Needless to say, it would also consider the proviso attached with the abovesaid definition, while disposing of such representation.

7. The present petition, in its entirety, shall be considered as fresh representation.

8. The decision be taken within four weeks and the outcome be apprised to petitioner. In case, the petitioner is aggrieved by the outcome of the abovesaid representation, he would be at liberty to take appropriate judicial remedy, in accordance with law.

9. A copy of this order be sent to Jail Superintendent for information and due compliance.

MANOJ JAIN, J

APRIL 28, 2026/sw/js