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

+ **W.P.(CRL) 294/2026**

MAHESH SHARMA

.....Petitioner

Through: Mr. Vishesh Wadhwa, Ms. Swadha Gupta and Mr. Aditya Singh, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for the State.

SI Sunil Chandra, P.S.: Ambedkar Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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28.01.2026

CRL.M.A. 2835/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 294/2026

By way of the present writ petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks extension of furlough granted to him by order dated 07.01.2026 made by the competent authority. However, order dated 07.01.2026 is not on record.



2. Ms. Swadha Gupta, learned counsel appearing for the petitioner submits, that convicts are not given a copy of the furlough order, but only a slip confirming that they have been granted furlough, which slips also mentions the date of surrender.
3. Admittedly, the petitioner has not filed for extension of furlough before the competent authority, which granted him furlough in the first place.
4. Ms. Gupta submits, that the petitioner is required to surrender back to custody on 29.01.2026.
5. Be that as it may, as of now, there is no order by the competent authority declining extension of furlough. In these circumstances, this court is not inclined to exercise its extraordinary jurisdiction under Article 226 of the Constitution of India in the matter.
6. The petition is accordingly dismissed.
7. However, the petitioner will be at liberty to approach the competent authority to seek relief, as may be required, in accordance with law.
8. Needless to add that the petitioner shall be entitled to invoke his remedies before this court, once a decision is taken by the competent authority.

ANUP JAIRAM BHAMBHANI, J

JANUARY 28, 2026

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