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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 309/2026

SANDEEP KUMAR MOURYA

.....Petitioner

Through: Ms. Gayatri Nandwani, Ms. Mudita Sharda and Mr. Adrian Abbi, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel for the State.
SI Divisha.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

25.04.2026

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The matter has been listed today since 03.03.2026 was declared a holiday.

2. By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks his 1st spell of furlough.
3. Ms. Gayatri Nandwani, learned counsel appearing for the petitioner submits, that the petitioner's application seeking furlough has been rejected by the concerned prison authorities *vidé* order dated 01.01.2026 on the ground that the address furnished by him could not be verified since it was found that neither the convict nor his family are residing at the said address. The address furnished was of Tehsil Maholi, P.S.: Tarwa, District : Azamgarh, Uttar Pradesh.
4. Notice on the petition was issued *vidé* order dated 29.01.2026.
5. Mr. Sanjay Lao, learned Standing Counsel for the State has handed-up Status Report dated 24.04.2026, which is taken on record. The status



report narrates that, upon enquiring locally at the address furnished by the petitioner, it was found that the petitioner's family has not resided in the village for a significant period of time. The report further narrates, that the Investigating Officer was informed that the family has re-located to an unknown location in Noida, the specific details of which were neither known to the local villagers nor to the Gram Pradhan.

6. In the circumstances, Mr. Lao fairly suggests, that the petitioner be granted furlough, pending verification of his residential address.
7. Accordingly, the present petition is allowed, granting to the petitioner – **Sandeep Kumar Mourya s/o Lal Bahadur Mourya** – his 1st spell of *furlough* for a period of 03 weeks from the date of his release, subject to the following conditions:
 - 7.1. The petitioner shall furnish to the Jail Superintendent the current residential address of his family, or any other address where the petitioner would reside while on furlough. The address so furnished to the Jail Superintendent would be verified by them within 10 days thereafter; and *subject to* such verification, the petitioner would be released on furlough.
 - 7.2. The petitioner shall furnish a personal bond in the sum of Rs. 20,000/- (Rs. Twenty Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the Jail Superintendent;
 - 7.3. The petitioner shall confine himself to the district within which his residential address falls, except for travelling to and from prison in Delhi.



- 7.4. The petitioner shall furnish to the S.H.O., P.S.: Madhu Vihar, Delhi a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 7.5. If the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
- 7.6. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any; and
- 7.7. Upon expiry of the period of furlough, the petitioner shall surrender before the Jail Superintendent.
8. Petition stands disposed-of in the above terms.
9. Pending applications, if any, also stand disposed-of.
10. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.

ANUP JAIRAM BHAMBHANI, J

APRIL 25, 2026/ak