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

+ **W.P.(CRL) 377/2026**

RUBY BEGUM @ REENA @SAMINAPetitioner

Through: Mr. Faraz Maqbool (DHCLSC) with
Mr. A. Sahitya Veena and Ms.
Ananya, Advocates.

versus

STATERespondent

Through: Mr. Rahul Tyagi, ASC for the State.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

% **ORDER**
17.04.2026

By way of the present writ petition filed under Article 226 read with Article 227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks furlough for a period of 03 weeks.

2. Notice on this petition was issued on 03.02.2026.
3. Status Report and Nominal Roll dated 19.02.2026 have been received from the Jail Superintendent.
4. Mr. Faraz Maqbool, learned counsel appearing for the petitioner submits, that the petitioner's request for furlough has been rejected by the concerned prison authorities *vidé* order dated 18.09.2025 on the ground that the petitioner was not eligible for furlough since she had violated Rule 1224(iii) of the Delhi Prison Rules, 2018 ('DPR') by



jumping emergency parole granted to her during the then prevailing pandemic and had to be rearrested around 03 years later. Furthermore, the petitioner also did not fulfil Rule 1223(i) of the DPR which requires the petitioner to have earned 03 Annual Good Conduct Reports to avail furlough.

5. Insofar as Rule 1224(iii) DPR is concerned, Mr. Maqbool submits, that this Bench has, while dealing with a similar fact situation¹, granted furlough to the prisoner despite that prisoner having violated Rule 1224 (iii). Insofar as Rule 1223(i) DPR is concerned, Mr. Maqbool submits, that though the petitioner has not earned 03 Annual Good Conduct Reports, the same is not an absolute bar and that except for the one infraction where the petitioner had, jumped emergency parole, the petitioner's nominal roll would show that the petitioner's jail conduct has been 'satisfactory'; that she has no other criminal involvement; and that she has been working as a night *langar sahayak*.
6. Mr. Maqbool further informs the court that the petitioner's daughter has had matrimonial trouble and requires the petitioner's support for some time.
7. Mr. Rahul Tyagi, learned ASC appearing for the State submits, that the main ground for opposing the petitioner's plea for furlough is that the petitioner had jumped emergency parole and remained absconding for more than 03 years, until she was re-arrested on 20.04.2024, after

¹ Order dated 10.02.2023 in W.P.(CRL) 25/2023.



which, the petitioner has not received 03 Annual Good Conduct Reports.

8. The record of interim bail/parole/furlough availed by the petitioner available alongwith the nominal roll, shows that the petitioner has been granted interim bail/parole/furlough on 05 prior occasions. The nominal roll also records that her overall jail conduct has been 'satisfactory'.
9. Upon a conspectus of the circumstances obtaining in the matter, this court is inclined to allow the present petition. However, in view of Rule 1223(i) of the DPR, which the petitioner does not fulfil, instead of granting her *furlough*, this court deems it appropriate to grant to the petitioner *parole* for 03 weeks, subject to the following conditions:
 - 9.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 02 local sureties in the like amount, to the satisfaction of the Jail Superintendent;
 - 9.2. The petitioner shall not leave the State of Delhi without permission of this court and shall *ordinarily* reside at the address as per prison records.
 - 9.3. The petitioner shall present herself before the S.H.O., P.S.: Rajouri Garden every Monday between 11:00 am and 11:30 am to mark his presence. However, she will not be kept waiting longer than an hour for this purpose;
 - 9.4. The petitioner shall furnish to the S.H.O., P.S.: Rajouri Garden 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;

- 9.5. If the petitioner has a passport, she shall surrender the same to the Jail Superintendent;
- 9.6. 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
- 9.7. Upon expiry of the period of furlough, the petitioner shall surrender before the Jail Superintendent.
10. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 17, 2026

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