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

+ W.P.(CRL) 1293/2026

SUNIL@ LILLY

.....Petitioner

Through: Mr. Nitin Kumar Yadav, Advocate.

versus

STATE (NCT OF DELHI)

.....Respondent

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

SI Shanker Singh, P.S.: Preet Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **22.04.2026**

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 release on *furlough*, even while his co-convict Puran Singh @ Vipin is out on parole.

Learned counsel for the petitioner points-out, that though the petitioner has already been granted his 01st spell of furlough by the prison authorities *vidé* order dated 16.04.2026, he has not been able to avail that order since a co-convict viz., Puran Singh @ Vipin is already out on parole; and simultaneous release of co-convicts is not permissible under Rule 1212(2) of the Delhi Prison Rules, 2018 ('Delhi Prison Rules').

It is submitted, that as per oral intimation received by him, the petitioner has an MRI appointment scheduled at Safdarjung Hospital on 24.04.2026.

Issue notice.

Mr. Sanjay Lao, learned Standing Counsel (Criminal) appears on behalf of the State on advance copy; accepts notice; and submits that Rule



1212(2) of the Delhi Prison Rules bars the simultaneous release of co-convicts.

Furthermore, learned Standing Counsel submits, that the petitioner's MRI can be facilitated by taking him 'in-custody' from prison to the hospital, once the date is verified.

In view of the above, it is not considered necessary to delve further into the matter.

Since the petitioner's co-convict is presently out on parole, the present petition is disposed-of, *declining* the prayer made in the petition.

However, the jail authorities are directed to escort the petitioner 'in-custody' for his MRI at Safdarjung Hospital on 24.04.2026, subject to verification of that date by the Investigating Officer.

Pending applications, if any, also stand disposed-of.

Furthermore, it is made clear that the petitioner would be entitled to avail furlough granted to him by the prison authorities *vidé* order dated 16.04.2026 *after* the co-convict surrenders back to custody.

ANUP JAIRAM BHAMBHANI, J

APRIL 22, 2026
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