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

\# **CNR No. DLHC010461382026**

\+ W.P.(CRL) 3011/2026

BIDUR SINGH .....Petitioner

Through: Mr. Siddharth Yadav, Advocate.

versus

STATE (NCT OF DELHI) .....Respondent

Through: Mr. Sanjay Lao, Senior Advocate with Mr. Yudhveer Singh Chauhan, Mr. Abhinav Kumar Arya and Mr. Aryan Sachdeva, Advocates for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 20.11.2026

1. This petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] seeks quashing of order dated 02nd September, 2026 passed by the Competent Authority, Prisons Headquarters, whereby the Petitioner's application for furlough was rejected. The Petitioner further seeks a direction for grant of his first spell of furlough for a period of three weeks in FIR No. 370/2017, registered at P.S. Dwarka Sector 23 under Sections 366/376D/506(II) of the Indian Penal Code, 1860 ["IPC"].

2. The Petitioner was convicted by the ASJ/FTC, Dwarka Courts, Delhi, *vide* judgment dated 30th January, 2019, and sentenced to undergo rigorous imprisonment for 20 years under Section 376D IPC, along with concurrent sentences of 10 years under Section 366 IPC and one year under Section 506(II) IPC. He was also directed to pay fines aggregating to INR 25,000/-.

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His criminal appeal (being CRL. A. 728/2019) was dismissed by this Court *vide* judgment dated 15th July, 2026.

3. The Petitioner's application for furlough was rejected by the Competent Authority by order dated 02nd September, 2026 on two grounds: first, the nature and gravity of the offence; and second, the failure to verify his proposed residential address. While the nature and gravity of the offence cannot be disregarded, the same cannot, by itself, constitute a sufficient ground to deny furlough. Furlough serves a reformative purpose and enables a convict to maintain family and social ties during prolonged incarceration. The object is to facilitate the convict's eventual reintegration into society. The concerns arising from the nature of the offence and the verification of the Petitioner's proposed residence can be adequately addressed by imposing appropriate safeguards and conditions.

4. The Nominal Roll as on 02nd October, 2026, reflects that the Petitioner has undergone 08 years, 09 months and 09 days of custody, including the period spent as an undertrial. His jail conduct for the preceding year as well as his overall conduct have been recorded as satisfactory. Significantly, the Nominal Roll does not disclose any other conviction or pending criminal case against him. It further records that the Petitioner has not availed any interim bail, parole or furlough during his incarceration. The Nominal Roll also does not contain any adverse recommendation by the Jail Superintendent against his release.

5. The Petitioner has stated that, during the period of furlough, he would reside with his sister, Ms. Vepana Singh, at her matrimonial residence situated at Village Jamlapur, Mazra Bibipur, P.O. Kusuma, P.S. Imalia Sultanpur, District Sitapur, U.P. Although the said address was not verified

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when the application was considered by the Competent Authority, this concern can be addressed by directing the concerned police authorities to verify the proposed place of stay before his release and by requiring the Petitioner to remain at the said address during the period of furlough.

6. Having regard to the period of incarceration undergone by the Petitioner, his satisfactory jail conduct, the absence of any other criminal case and the fact that he has not availed any previous period of parole or furlough, this Court is of the view that the Petitioner deserves an opportunity to avail his first spell of furlough.

7. Accordingly, the petition is allowed. The Petitioner is directed to be released on his first spell of furlough for a period of three weeks from the date of his release, upon furnishing a personal bond in the sum of INR 10,000/- with one surety in the like amount, to the satisfaction of the concerned Jail Superintendent/Duty MM, subject to the following conditions:

a. Before his release, P.S. Imalia Sultanpur, District Sitapur, Uttar Pradesh, shall verify the residential address of the Petitioner's sister, where he proposes to stay during the period of furlough. The Petitioner shall furnish the complete address and contact particulars of his sister to the Jail Superintendent.

b. The Petitioner shall reside at the aforesaid verified address throughout the period of furlough and shall not change his place of residence without prior intimation to and permission of the concerned authorities.

c. On completion of 10 days from the date of his release, the Petitioner shall appear once before the Investigating Officer/SHO concerned at P.S. Dwarka Sector 23, Delhi.

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d. The Petitioner shall furnish his mobile number to the Investigating Officer/SHO concerned and ensure that the same remains operational and accessible at all times during the period of furlough. He shall immediately intimate any change in his mobile number.

e. The Petitioner shall not, directly or indirectly, contact, communicate with or attempt to approach the victim or any member of her family during the period of furlough.

f. The Petitioner shall not indulge in any criminal activity.

g. The Petitioner shall duly surrender upon expiry of his period of release.

8. The petition stands disposed of in the above terms.

9. Copy of this order be forwarded to the concerned Jail Superintendent for information and necessary compliance.

SANJEEV NARULA, J

NOVEMBER 20, 2026
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