

(2025) 08 DEL CK 0641
In the Delhi High Court
Case No : Writ Petition (Crl) No. 202 Of 2025

Manish@Lulu

APPELLANT

Vs

State Govt. Of Nct Of Delhi

RESPONDENT

Date of Decision : 05-08-2025

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302, 307, 323, 324, 452

Citation : (2025) 08 DEL CK 0641

Hon'ble Judges : Girish Kathpalia, J

Bench : Single Bench

Advocate : Urvashi Jain, Abhijeet Kumar

Final Decision : Dismissed

Judgement

Girish Kathpalia, J

1. The petitioner, having suffered incarceration for fourteen years and one month in case FIR No. 189/2010 of PS Paharganj for offence under Section 302/307/324/323/452/34 IPC has assailed the furlough rejection order no. F.10(003626966)/CJ/LEGAL/PHQ/2024/8346 dated 21.11.2024.
2. The nominal roll and status report have been received from the jail.
3. I have learned counsel for the respondent. It appears that there is no serious objection to this petition.
4. According to the impugned order, the furlough request of the petitioner was rejected on the ground that on three occasions, after being released on furlough, he surrendered belatedly. On the first occasion, there was delay of fourteen days in surrender and that was the covid period. On the second and third occasions, the delay in surrender was of one day each, which is explained by learned counsel for the petitioner on the ground that petitioner reached the jail late in evening, so he was directed to surrender on the next day.
5. Considering the above circumstances, especially in the light of the overall

philosophy of reformation of convict through tools like furlough, the impugned order cannot be sustained. Therefore, the impugned order is set aside, directing immediate release of the petitioner on second spell of furlough for a period of two weeks subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent. It is directed that, at the time of releasing the petitioner on furlough, the concerned Jail Superintendent shall furnish to him in writing, against acknowledgment, the specific date on which the petitioner has to surrender.

6. For compliance, copy of this order be sent to the concerned Jail Superintendent.