



2025:DHC:6661



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

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*Date of Decision: 08.08.2025*+ **W.P.(CRL) 1016/2025**

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.....Petitioner

Through: Counsel for petitioner (*appearance  
not given*)

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Anand V. Khatri, ASC for State.

**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The petitioner assails order dated 18.02.2025 of the Competent Authority whereby his application for being released on first spell of furlough for a period of three weeks in case FIR No. 90/2010 of Police Station Bhalswa Dairy for offence under Section 302/201/34 IPC was dismissed. I have heard learned counsel for petitioner as well as learned ASC.

2. The application of the petitioner for grant of furlough was rejected by the Competent Authority by way of impugned order on the ground that earlier while he was on parole from 24.06.2021 to 22.07.2021, he jumped parole and was rearrested on 08.01.2022. Besides, another reason of



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rejection was the overall conduct of the petitioner in jail, for which he was awarded multiple punishments, the latest being dated 30.07.2023.

3. Learned counsel for petitioner submits that the impugned order is not sustainable in the eyes of law because even subsequent to 30.07.2023, petitioner was released on parole vide order dated 14.11.2024 passed by a coordinate bench of this court in W.P.(CRL) 3477/2024.

4. So far as the petitioner not having surrendered back after the earlier parole period, it is explained by learned counsel for petitioner that on account of death of brother of petitioner as well as due to miscommunication about the date of surrender, he failed to do so in time.

5. As regards the punishment dated 30.07.2023, the same was in the form of warning as the petitioner was found having consumed some drug. The said punishment was considered by the coordinate bench in order dated 14.11.2024 from which it appears that what the petitioner had consumed was not any contraband but only a cough syrup, that too available in the jail on medical prescription.

6. Keeping in mind the overall philosophy of reformation of convicts and significance of the tools like parole and furlough, I find no reason to deny the petitioner an opportunity in that regard.

7. Therefore, the petition is allowed and the petitioner is directed to be



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released on first spell of furlough for a period of three weeks in case FIR No. 90/2010 of Police Station Bhalswa Dairy for offence under Section 302/201/34 IPC 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 Jail Superintendent. It is directed that at the time of releasing the petitioner on furlough, the concerned Jail Superintendent shall intimate him in writing, against an acknowledgement the specific date on which he has to surrender, so that there is no default. Copy of this order be immediately sent to the concerned Jail Superintendent for compliance.

**GIRISH KATHPALIA  
(JUDGE)**

**AUGUST 8, 2025/ry**