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

+ **W.P.(CRL) 3177/2025**

LALIT @ LUCKY

.....Petitioner

Through: Ms. Vrinda Bhandari Advocate
(DHCLC) and Ms Pragya Barsaiyan,
Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhy, ASC for
the State with Mr. Abhijeet Kumar
and Ms. Amisha Gupta, Advocates
with Inspector Mahendra Kumar, PS
Shahbad Dairy.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **08.10.2025**

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, Lalit @ Lucky for grant of Parole for one month in FIR No. 405/2017 under Section 302 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station S.B. Dairy, Delhi.
2. It is submitted that the Petitioner had applied for Parole on 22.07.2025 on the ground of maintaining social ties and family relations and to curb inner stress and depression due to incarceration and also to take care of his father, who has been recently discharged from hospital on account of old age related issues, on 10.09.2025. Even after lapse of more than one month and



twenty days, no decision has been taken by the competent Authority. Hence, the prayer is made that the Petitioner be granted Parole for four weeks.

3. ***Learned counsel on behalf of the Respondent*** has filed the Status Report and the same be taken on record. It is submitted in the Status Report that the matter is still pending before the Competent Authority for decision.

Submissions heard and record perused.

4. It is pertinent to note that on the earlier date i.e. 25.09.2025, it was noted that that as per Delhi Prison Rules, 2018, Parole Application has to be decided within a period of four weeks. The assurance had been given of its disposal despite which this Application has not been decided since July, 2025.

5. It has been repeatedly noted in number of cases that there is violation of the Delhi Prison Rules, 2018 with impunity by the concerned Authorities, who do not have any sensitivity towards the prisoners like Petitioners, who are suffering long incarceration. It is not realized that non-grant of Parole/Furlough within the fixed time frame, only results in unrest and defeats the very purpose of Parole/Furlough, which is to enable them to establish family ties and to not fall into depression and stress because of long incarceration.

6. Such instances, which have been repeatedly demonstrated by the State agencies, only show their defiance to the very objective of introducing provisions of Furlough/Parole and have no respect or care for the prisoners and their mental and physical health. It also reflects that they are not cognizant that such long incarceration without break by way of Parole and Furlough, can in fact lead to a situation of indiscipline and anarchy in the Jail itself. In fact, Furlough/Parole is only to ensure that the discipline in the



jail, is maintained by taking care of the prisoners.

7. It has been noted that many Orders have been passed by this Court directing the State Agency, to show some sensitivity but it seems that it is too tall a claim to ask from the Respondent, who sitting in their offices, have no respect/regard either for law or for the persons in Jail.

8. Considering that the Parole for four weeks, was sought not only for the physical and mental health of the Petitioner but also on account of the ill-health of his father, which is his right under the Delhi Prison Rules, 2018 and there is no circumstance brought on record, which disentitles him from claiming this relief, this Court is compelled to allow the Petition and grant four weeks' Parole to the Petitioner, on the following terms and conditions:-

- i. The petitioner shall furnish a personal bond in the sum of Rs.35,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
- ii. The petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM during the period of furlough.
- iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted, if required. The said telephone number shall be kept active and operational at all the times by the petitioner.
- iv. The petitioner shall ordinarily reside at the address mentioned in the Petition.
- v. Immediately upon the expiry of period of Parole, the Petitioner shall surrender before the Jail Superintendent.



vi. The period of Parole shall be counted from the day when the Petitioner is released from jail.

9. The Petition stands disposed of.

10. However, considering that this Court is flooded with these matters and repeated directions have not yielded in any result, the Principal Secretary (Home), NCT of Delhi, is directed to appear in person on 06.11.2025 along with an explanation and also the response as to how this problem is sought to be streamlined.

NEENA BANSAL KRISHNA, J

OCTOBER 8, 2025/RS