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

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Date of Decision: 07.07.2025+ **W.P.(CRL) 954/2025**

MR. X

.....Petitioner

Through: Mr. Anup Kumar Das, Advocate

versus

DIRECTOR GENERAL OF PRISONS

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the
State with Inspector Sahi Ram, PS
Vasant Vihar**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)****CRL.M.A. 8959/2025 (seeking suppression of identity of petitioner)**

1. For the reasons mentioned therein, the application is allowed.

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2. In the earlier round of litigation, furlough application of the petitioner was rejected, which order was upheld by a coordinate bench of this Court. The petitioner filed SLP (Crl.) No. 14143/2024, which was disposed of by the Supreme Court, setting aside the furlough rejection order and directing the competent authority to disclose the reasons for which the petitioner was declared a habitual offender and also to consider application of Rule 1225 of



the 2018 Rules. Thereafter, order dated 19.02.2025 was passed by the competent authority, again rejecting the furlough request. Hence, the present petition.

3. In order dated 19.02.2025, the competent authority did enlist multiple cases on the basis whereof the petitioner was considered to be a habitual offender. But there is nothing in the impugned order dated 19.02.2025 to show that the competent authority considered Rule 1225.

4. In view of the above circumstances, learned ASC in all fairness expresses inability to support the impugned order. With consent of both sides, the impugned order is set aside and matter is remanded to the competent authority to pass a fresh order in compliance with order dated 31.01.2025 of the Supreme Court. The fresh order shall be passed and communicated to the petitioner within 10 days.

5. At request of learned counsel for petitioner, it is made clear that in case even the fresh order has to be challenged, a fresh petition may be filed through *paurokar* since the petitioner being a patient of serious ailment, learned counsel is wary of getting in touch with him in jail.

6. Further, it is also directed that if the fresh order is again found to be not in accordance with directions of the Supreme Court, the Director General (Prisons) shall personally appear and explain as to why it should not be taken to be contempt of the Supreme Court.



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7. Accordingly, the petition stands disposed of in the above terms. Copy of this order be sent to the Director General (Prisons) for compliance.

**GIRISH KATHPALIA
(JUDGE)**

JULY 7, 2025
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