



2025:DHC:5745



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

Date of Decision: 17.07.2025

+ W.P.(CRL) 2190/2025

JITENDER KUMAR VICKEYPetitioner

Through: Mr. Faraz Maqbool, Adv.
(DHCLSC) with Ms.
Deepshikha and Mr. Sahitya
Veena, Advs.

versus

THE STATE OF NCT OF DELHIRespondent

Through: Ms. Rupali Bandhopadhyia,
ASC with Mr. Abhijeet Kumar
and Ms. Amisha Gupta, Advs.
for State.

**CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR**

SHALINDER KAUR, J (ORAL)

CRL.M.A. 20424/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed on behalf of the petitioner, under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking an extension of *furlough* granted by the Competent Authority (Prison) *vide* the



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Order dated 28.05.2025, for a further period of six weeks on medical grounds.

4. The learned counsel for the petitioner submits that *vide* the Order dated 13.01.2025, the Competent Authority had granted the first spell of *furlough* to the petitioner for a period of three weeks, on medical grounds. Subsequently, *vide* the Order dated 03.02.2025, the said furlough was extended till 10.02.2025. Thereafter, this Court *vide* Order dated 18.02.2025 granted a final extension of one week and directed the petitioner to surrender on or before 25.02.2025, before the concerned Jail Superintendent.

5. The learned counsel further submits that the petitioner duly surrendered before the concerned Superintendent, Jail on 25.02.2025. He submits that the petitioner is undergoing treatment at the *Rheumatology* Outpatient Department (OPD) of Ram Manohar Lohiya (RML) Hospital and is suffering from *polyarticular gout*. However, despite the said treatment, there has been no significant improvement in his medical condition.

6. The learned counsel submits that *vide* Order dated 28.05.2025, the second spell of furlough was granted to the petitioner, by the Competent Authority, for a period of ten days, which he was able to avail on 08.07.2025, and the same is set to expire on 18.07.2025.

7. The learned counsel submits that, at present, the condition of the petitioner has not improved and he continues to suffer from swelling in both his legs. In these circumstances, he prays, that the



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petitioner's second spell of *furlough* be extended for a further period of six weeks.

8. Issue notice.

9. The learned Additional Standing Counsel (ASC) for the State/respondent No. 1 accepts notice and opposes the present petition.

10. The learned ASC submits that the petitioner is being treated only as an OPD patient at RML Hospital and no further medical rest has been advised by the attending Doctor. Although the petitioner may be undergoing medication, the same treatment can be administered by the Superintendent Jail in accordance with the Doctor's advice.

11. The perusal of the OPD follow-up card dated 10.07.2025, reveals that the petitioner is suffering from stiffness in the hands, pain and swelling in the legs, and has a history of *polyarticular gout*.

12. In view of the above, the *furlough* of the petitioner, granted by the Competent Authority by Order dated 28.05.2025, is extended for a further period of 10 days on same terms and conditions as contained in the Order dated on 28.05.2025. The petitioner shall, after the expiry of the *furlough* of 10 days i.e., on 29.05.2025, surrender before the concerned Jail Superintendent.

8. Accordingly, the present petition stands disposed of.

9. A copy of this Order be sent to the concerned Jail Superintendent for necessary information and compliance.

SHALINDER KAUR, J

JULY 17, 2025/sds/kp