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

+ W.P.(CRL) 1727/2015

RAJ KUMAR

..... Petitioner

Through: Ms.Sunita Arora with Mr. Krishan
Kumar, Adv.

versus

STATE

..... Respondent

Through: Mr. R.S. Kundoo, ASC for the State
with Inspector Vijender Singh, STF/Crime Branch

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **14.08.2015**

The petitioner questions the order dated 9.7.2015 whereby the prayer for being released on furlough has been rejected by the competent authority.

The petitioner was convicted under Sections 21, 23, 24 and 29 of the NDPS Act and was sentenced to undergo RI for 20 years with fine of Rs.2.00 lac. However, his sentence was modified in Criminal Appeal to a period of 12 years RI with fine of Rs.1 lac. The petitioner has remained in jail for 11 years, 8 months and 17 days and the unexpired portion of sentence is only 3 months.

The nominal roll reveals that the petitioner was released on parole and furlough on several occasions and the overall conduct of the petitioner in jail has been satisfactory.

Mr.Kundoo, Additional Standing Counsel files the status report during hearing of this petition.

Let it be taken on record.

Considering the fact that only 3 months are left for serving his entire sentence, let the petitioner be released on furlough for a period of 3 weeks on his furnishing a bond in the sum of Rs.10,000/- with two sureties of like amount to the satisfaction of the Trial Court, subject to the following conditions:-

- a) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of furlough.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) If the petitioner is required to go out of the territory of Delhi, he would intimate about his visit to the SHO of the concerned police station.
- d) He shall furnish his mobile telephone number and the mobile telephone number of both the sureties to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his furlough and for taking of the coercive steps for securing his attendance.

With these observations, the petition is disposed of.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

ASHUTOSH KUMAR, J

AUGUST 14, 2015

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