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

+ W.P.(CRL) 2976/2015

SIKANDER @ MOHD. SAFI

..... Petitioner

Through: Mr. Puneet Garg, Adv.

versus

STATE

..... Respondent

Through: Mr. Ashish Aggarwal, ASC with
Mr. Piyush Singhal, Adv. for the State
SI Munish Kumar, I/C P.P. Turkman
Gate, P.S. Chandni Mahal

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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16.12.2015

The petitioner has challenged the order dated 13.08.2015 passed by the competent authority whereby his prayer for being released on furlough has been rejected on the ground that his conduct has been unsatisfactory and he has been punished for breaking jail rules during the years 1999, 2000, 2001, 2004 and 2007.

The order impugned further discloses that the petitioner was granted parole in the year 2002, on the expiry of which, he did not surrender and was re-arrested on 08.04.2004 in connection with another case which was instituted under Sections 328/342/363/376 of the IPC.

The competent authority has taken note of the fact that the petitioner is a habitual offender and is not having a uniform good conduct in jail.

One of the guidelines for releasing the convicts on parole/furlough is that the applicant must earn three annual good conduct remission and should continuously maintain good conduct.

Learned counsel for the petitioner has drawn the attention of this Court to the number of times he has been released on parole and furlough by the High Court as also at the instance of the government from 1992 to 2014. It is further submitted that the petitioner has remained in jail for about 25 years.

However, considering his unsatisfactory conduct in jail and the fact that he has not earned three annual good conduct remission, this Court is not inclined to accede to the prayer made by the applicant.

The petition is dismissed with the liberty to him to apply before the Sentence Review Board, Delhi Government, as he has remained in jail for about 25 years.

The petition is dismissed with the aforesaid observation.

ASHUTOSH KUMAR, J

DECEMBER 16, 2015

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