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

+ W.P.(CRL) 1053/2016

MAJID SHEIKH MANSOORI

..... Petitioner

Through

Mr. Vikas Padora and Mr. Vaibhav
Aggarwal, Advocates

versus

STATE

..... Respondent

Through

Ms. Kamna Vohra, Addl. Standing
Counsel (Crl.)

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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30.03.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking modification of the order dated 9th January, 2016 rendered by the competent authority whereby the petitioner was released on furlough for a period of three weeks *albeit* on furnishing a personal bond in the sum of Rs. 10,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent.

The sole modification that is sought by way of present writ petition is to the extent that instead of furnishing one surety in the amount of Rs. 10,000/-, the petitioner be released on furlough on depositing cash security in lieu thereof, along with a personal bond in the said amount.

In support of this prayer, Mr. Vikas Padora, learned counsel appearing on behalf of the petitioner invites my attention to an order dated 16th July, 2015 passed by this Court in Writ Petition (Crl.) No. 2375/2014 whereby a similar relief sought by the petitioner on an earlier occasion, was granted by this Court.

The prayer made in the present writ petition is occasioned by the circumstance that the petitioner belongs to the poorest segment of society and

has a wife and young children who are entirely dependent on him, and therefore, is unable to arrange for the surety.

Notice.

Ms. Kamna Vohra, learned Addl. Standing Counsel (Crl.) accepts notice and does not oppose the prayer in the present writ petition in view of what has been extracted hereinabove.

The present writ petition is consequently allowed.

The order dated 9th January, 2016 is modified to the extent that the petitioner be released on furlough for a period of three weeks on his furnishing a personal bond in the sum of Rs. 10,000/- and depositing cash security in lieu of surety bond, as directed by the said order issued by the DG (Prisons), New Delhi. The other terms and conditions as imposed by the order dated 9th January, 2016 shall remain the same.

With the above modifications, the writ petition is disposed of.

Copy of this order be sent to Jail Superintendent for information and compliance.

SIDDHARTH MRIDUL, J

MARCH 30, 2016

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