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

+ W.P.(CRL) 2277/2016

SUDARSHAN DUTTA

..... Petitioner

Through: Mr. Nitish Chaudhary for Mr. Chetan
Lokur, Adv.

versus

STATE

..... Respondent

Through: Ms. Kamna Vohra, ASC with SI
Deepak Panwar, PS Defence Colony

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

23.09.2016

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The petitioner has preferred the present petition to seek a direction for his release on furlough. His application made to the State was rejected on 26.05.2016 on the ground that his conduct is unsatisfactory as he was punished on 03.01.2013; he has surrendered late by two days after availing the parole for four weeks granted by this court in 2015, and there is an apprehension that he might jump furlough.

The nominal roll shows that the petitioner stands convicted under Section 302 IPC and is undergoing life imprisonment with fine. The petitioner has already undergone over 19 years and 5 months incarceration as on 09.06.2016. He has also earned remission of 2 years 1 month and 12

days. The petitioner has repeatedly been granted parole by this court even after he jumped the parole with effect from 26.02.2010 to 20.12.2011, he was granted parole in 2013. He surrendered late by two days in May 2015. However, even thereafter he was granted furlough between 03.03.2016 and 25.03.2016. Thus, the earlier misconduct of the petitioner has been examined by this court while granting parole and furlough, as aforesaid. Thus, the same cannot come in the way of grant of furlough since his conduct in the jail has been found to be satisfactory subsequently.

Ms. Vohra submits that the address of the petitioner has been got verified.

Accordingly the petitioner is directed to be released on furlough for a period of two weeks subject to his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendant. The petitioner shall provide his mobile phone number at the time of his release and the same shall be kept in working condition and shall not be changed without prior intimation to the court. He shall mark his attendance during this period after a week of his release at the local police station at 11:00 a.m. He shall duly surrender at the end of the furlough period.

Petition stands disposed of. Dasti.

VIPIN SANGHI, J

SEPTEMBER 23, 2016

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