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

+ W.P.(CRL) 2264/2016

ARUN LAL

..... Petitioner

Through: Mohd. Faraz, Advocate

versus

STATE

..... Respondent

Through: Mr. Jamal Akhtar, Adv for Mr. Rahul Mehra, Standing Counsel, GNCTD with SI Suresh Sharma, PS Kalkaji

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

20.09.2016

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The petitioner has preferred the present petition to seek furlough while seeking quashing of the order dated 12.05.2016, whereby his application for the said relief has been rejected by the State. The nominal roll of the petitioner shows that he has been convicted u/s 302 IPC in case FIR No.201/2008 registered at PS Kalkaji. He has been directed to undergo rigorous imprisonment for life. It has been further directed that his case will not be considered for remission till completion of 25 years. He was subjected to fine of Rs.10,000/- and in default to undergo further rigorous imprisonment of two months. The criminal appeal of the petitioner was disposed of by this court on 17.07.2015. This court modified the sentence

by observing that the petitioner would be entitled to remission after completion of 25 years of imprisonment.

The nominal roll shows that the petitioner has already undergone incarceration of 8 years 2 months and 6 days as on 14.07.2016. His jail conduct has been found to be satisfactory. Even otherwise, he had been released on parole between 12.01.2016 and 09.02.2016. Since then more than six months have elapsed. In these circumstances, there is no justification to deny furlough to the petitioner. The impugned order is, accordingly, quashed.

The petitioner is directed to be released on furlough for a period of three weeks subject to his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent. At the time of his release, he shall provide his mobile phone number and the same shall be kept in working condition at all times and shall not be changed without prior intimation to the court. He shall mark his attendance on every Monday at 11:00 a.m. at the local police station. He shall duly surrender at the end of the furlough period. He shall not leave the NCT of Delhi without prior permission of this court.

Petition stands disposed of. Dasti.

VIPIN SANGHI, J

SEPTEMBER 20, 2016

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