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

+ W.P.(CRL) 3117/2016

ILIYASUDDIN

..... Petitioner

Through: Mr. M.L. Yadav, Advocate

versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan, ASC with  
Megha Bahl, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER**

**26.10.2016**

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The petitioner has preferred the present petition to seek the quashing of the order dated 21.09.2016 whereby his application for furlough was rejected, and also seeks a direction that he may be released on first spell of furlough for a period of three weeks.

The nominal roll on record shows that the petitioner stands convicted under Section 377/302 IPC in case FIR No.51/2008 registered at PS Kapashera. He was sentenced to life imprisonment. The petitioner has undergone 8 years 6 months and 24 days of incarceration till 06.10.2016.

Mr. Mahajan points out that the petitioner has been convicted for the offence of sodomy and murder of a minor child. He does not have a place of residence in Delhi. His wife and children are residing in Nepal and he if

were to be released on furlough/ parole, there is every likelihood that he may jump the same and go to Nepal, which would place him beyond the reach of this court.

Considering the fact that borders of India and Nepal are porous and free movement of people can take place between the two countries, looking to the circumstances of the case, I am not inclined to grant any relief to the petitioner in the present case.

Dismissed.

**VIPIN SANGHI, J**

**OCTOBER 26, 2016**

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