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

+ **W.P.(CRL) 3377/2016**

**RAKESH SARAHA**

..... Petitioner

Through: Ms. Neha Kapoor, Advocate.

versus

**STATE**

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel  
and Mr. Jamal Akhtar & Mr. Tushar,  
Advocates along with SI Sunil  
Kumar, PS-Tilak Marg, for the State.

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

**ORDER**  
**30.11.2016**

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Learned counsel for the petitioner has taken instructions in terms of the last order. She confirms that the furlough granted to the petitioner for a period of two weeks has not been availed of by the petitioner till date, which was granted on 12.08.2016.

Learned counsel for the petitioner submits that since the mother of the petitioner has to undergo Hip Replacement Surgery, she would take more than two weeks to recuperate. The petitioner, therefore, prays that in case his mother undergoes Hip Replacement Surgery, he may be granted parole in continuation of two weeks furlough period.

Looking to the fact that the petitioner has already undergone 15 years, 7 months and 29 days of incarceration as on 24.11.2016, and the fact that he has not been granted parole in this year and he has only been granted furlough in this year and his jail conduct is also satisfactory, it is directed as follows:

- (i) The petitioner shall be entitled to avail of the two weeks furlough granted to him on 12.08.2016.
- (ii) In case during this period, his mother undergoes Hip Replacement Surgery, he shall be entitled to avail of parole for a further period of two weeks in continuation of two weeks of furlough on the same terms & conditions on which he shall be released on furlough.
- (iii) However, in case, Hip Replacement Surgery of his mother does not take place, the petitioner shall surrender at the end of the two weeks period of furlough.

The petition stands disposed of in the aforesaid terms.

Dasti.

**VIPIN SANGHI, J**

**NOVEMBER 30, 2016**

*B.S. Rohella*