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

+ W.P.(CRL) 2246/2015

KHALID

..... Petitioner

Through Mr.Jivesh Tiwari, Adv.

versus

STATE

..... Respondent

Through Mr.Ashish Aggarwal, ASC with
Mr.Piyush Singhal, Adv.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **08.01.2016**

The competent authority rejected the prayer for grant of 1st spell of furlough to the petitioner on the ground that the petitioner was punished for jail offence on 30.08.2011 and has not shown good conduct and, therefore, has not earned three Annual Good Conduct Remissions till date.

Learned counsel for the petitioner, with reference to the nominal roll, submits that he has remained in custody for more than 5 ½ years and his overall conduct in jail has been satisfactory.

The punishment for the jail offence was given to the petitioner way back in the year 2011 and by now he has earned annual good conduct remission.

It is further submitted on behalf of the petitioner that he has an old and ailing mother and five younger minor brothers and that the mother is required to be attended to.

Considering the fact that the conduct of the petitioner in jail has been satisfactory from 2011 onwards and his period of custody, i.e. 5 ½ years, this Court is inclined to release the petitioner on furlough for a period of three weeks from the date of his release.

Let the petitioner be released on furlough for a period of three weeks on his furnishing a bond in the sum of Rs.5,000/- with one surety of the like amount, to the satisfaction of the Superintendent of Jail, subject to the following conditions:-

- a) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) If the petitioner is required to go out of the territory of Delhi, he would intimate about his visit to the SHO of the concerned police station.
- d) He shall furnish his mobile telephone number and the mobile telephone number of the surety to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his furlough and for taking of the coercive steps for securing his attendance.

With these observations, the petition is disposed of.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

Dasti.

ASHUTOSH KUMAR, J

JANUARY 08, 2016
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