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

+ CRL.M.C. 5111/2017

SUBHASH GUPTA

..... Petitioner

Through Mr. Pramod Kumar Dubey, Adv.

versus

STATE

..... Respondent

Through Mr. Ashish Dutta, APP for the State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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08.12.2017

Parole/Furlough guidelines 2010 issued by order No.F.18/91-2009/HG dated 17.2.2010 issued by the Government of NCT of Delhi have been submitted on behalf of the State which indicate that while Clause-31 thereof it would be open to the competent authority to impose suitable conditions while granting furlough in exceptional cases. While the order dated 1.4.2017 issued from the Office of the Director General of Prisons, Prison Headquarters, Tihar, Janakpuri, New Delhi, the petitioner has been allowed to be granted the first spell of Furlough for a period of three weeks subject to the conditions as follow:

“1.That he shall furnish one surety of Rs.10,000/- (Rupees Ten Thousand only) personal bond in the like amount for his release on Furlough to the said.. Superintendent, Central Jail No.113, Mandolin Delhi.

2. That he shall maintain peace and good behaviour

- during his period of release.*
3. *That he will remain at his residence during the period of his release on. Ordinary place of residence shall be – H.No.1/6060, Kabool Nagar, Shahdara, near Sai Baba Mandir, Delhi.*
 4. *That he shall report at least once in a week to Police Station under which his residence falls, during the period of his release on furlough.*
 5. *That he shall surrender to the Superintendent, Central Jail No.13 Mandoli Delhi of his period of release on furlough.”*

Learned counsel for the petitioner submits that the petitioner has been unable to furnish the surety to the tune of Rs.10,000/- and prays that the surety amount be reduced on a cash security or on personal bond.

Submissions of the State have also been considered.

The condition No.1 imposed vide order dated 1.4.2017 by the Competent Authority is modified to the effect that the petitioner be allowed to be released on furlough for a period of three weeks from the date of his release subject to his furnishing a personal bond with one surety to the tune of Rs.5000/-. Rest of the conditions nos. 2-5 in the said order dated 01.04.2017 of the Competent Authority shall remain identical.

Copy of the order be sent to the concerned Superintendent of Jail and the Competent Authority concerned.

The petition is disposed of accordingly.

ANU MALHOTRA, J

DECEMBER 08, 2017/aj