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

+ W.P.(CRL) 716/2018

KARAMBIR Petitioner

Represented by: Ms.Sunita Arora, Advocate

versus

STATE Respondent

Represented by: Mr.Rahul Mehra, Standing Counsel
for the State with Insp.Baljit Singh,
PS Uttam Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **01.08.2018**

1. In this petition, petitioner challenges the order dated 31st January, 2018 passed by the Competent Authority declining to grant furlough to the petitioner for the reason that his co-convict had jumped parole and is absconding till date. This Court had granted parole to the petitioner for a period of four weeks however he could not be released because his co-accused had jumped parole. Vide order dated 23rd April, 2018 in W.P.(Crl.) No.2935/2017, this Court waived of the said condition stating that once the co-accused has absconded, there cannot be an embargo on the release of the convict.

2. Petitioner has been produced in custody and is present in Court after having availed parole granted by this Court and has surrendered in time.

3. Learned Standing Counsel for the State submits that in case the petitioner has shown his bona fide and now petitioner applies afresh for furlough to the Competent Authority, the same will be considered sympathetically de-hors the absconsion of the co-convict.
4. In view of this statement of learned Standing Counsel for the State, the petitioner is at liberty to file a fresh application seeking furlough.
5. Petition is disposed of.
6. Copy of this order be communicated to the petitioner through Superintendent, Central Jail, Tihar.

MUKTA GUPTA, J.

AUGUST 01, 2018

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