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

+ W.P.(CRL) 1308/2015

JAFAR ALI @ JAFUR ALI

..... Petitioner

Through : Mr.Nitesh Gupta, counsel for Mr.Puneet
Garg Advocate along with petitioner
present in judicial custody.

versus

STATE

..... Respondent

Through : Mr.Sanjay Lao, ASC with Mr.Siddarth
Sindhu, Advocate.
ASI Sukhbir Singh.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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20.02.2018

CrI.M.A.1867/2018

1. Status report filed. It is taken on record.
2. I have heard the learned counsel for the parties and have examined the file. By an order dated 3.09.2015, the petitioner was granted parole for 30 days from the date of his release on his furnishing personal bond in the sum of ₹10,000/- with two sureties of the like amount with certain conditions. Name of one surety i.e. Munara Begum (petitioner's sister) was disclosed and noted in the impugned order. Vide order dated 03.05.2017 passed in CrI.M.A.3839/17, the number of sureties was reduced to one. Mr.Shehjaan Sakrkar was to stand surety for him.. The petitioner, thereafter, filed CrI.M.A.No.20084/2017 for modification of the order dated 3.5.2017 to furnish another surety of Dhir Singh s/o Mashiha

instead of Shehjaan Sarkar, s/o Abdul Rashid Sarkar. It was allowed by an order dated 5.12.2017.

3. File was taken up on office note on 12.01.2018. It was informed by the trial court that fake pay slip of surety Dhir Singh was filed to secure the petitioner's release on parole. Apparently, the petitioner had attempted to furnish a fake surety. Vide order dated 12.01.2018, notice was issued to Dhir Singh. Subsequently, Crl.M.A.No.1867/2018 was filed by the petitioner for modification of the orders dated 3.9.15, 3.5.17 and 5.12.17 to produce his son as surety.

4. This Court finds no sufficient reasons for modification of the orders as the attempt was made by the petitioner to produce his friend Dhir Singh as surety who furnished fake pay slip before the trial court.

5. The application is dismissed. It is, however, made clear that if the petitioner finds any sound surety having valid address, he can seek parole in terms of the order dated 03.09.2015 by presenting it before the trial court. It shall be considered on merits. The trial court will be at liberty to initiate action as per law against Dhir Singh for allegedly filing fake pay slip.

S.P.GARG, J.

FEBRUARY 20, 2018 /sa