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

+ **W.P.(CRL) 3146/2019**

TARA CHAND

..... Petitioner

Through: Mr Gautam Khazanchi, Mr
Pradyuman Kaistha and Mr Vishnu
Menon, Advocates.

versus

STATE

..... Respondent

Through: Mr Jamal Akhtar, Advocate for Mr
Rahul Mehra, Standing Counsel.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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08.11.2019

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 09.10.2019, whereby the petitioner's request for modification of the terms of furlough was rejected. By an order dated 22.08.2019, the petitioner's request to be released for a third spell of furlough was granted, subject to the condition of him furnishing a personal bond in the sum of ₹10,000/- and two sureties of the like amount. The petitioner states that he has been in custody for over seven years and is thus, finding it difficult to arrange two sureties for his release on furlough.
2. The petitioner's request for modification has been denied on two grounds. First, that *mulakat* had been granted to the petitioner on 02.09.2019, indicating that he is in touch with his family and friends. Second, that there is a considerable period of incarceration that is yet to

be served.

3. The learned counsel appearing for the petitioner points out that this Court had by an order dated 19.03.2018, granted three weeks parole to the petitioner on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court. He states that there is no allegation that the petitioner had misused the same.

4. Considering the averments made in the petition and considering that the petitioner had been released on furlough on a personal bond in the sum of ₹25,000/- and one surety of the like amount, this Court considers it apposite to modify the terms of the order dated 22.08.2019 granting the third spell of furlough to the petitioner.

5. The said order is modified to the extent and it directed that the petitioner would be released on furlough on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent, Central Jail No.-2, Tihar. All the conditions other than pertaining to furnishing of a Personal Bond and a surety, as stipulated in the order dated 22.08.2019, shall continue to apply.

6. The petition is disposed of in the aforesaid terms.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 08, 2019

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