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

+ **W.P.(CRL) 153/2019**

JITENDER @ JEETU

..... Petitioner

Through: Ms. Sunita Arora, Advocate for Mr. Krishan
Kumar Advocate.

versus

STATE & ANR.

..... Respondents

Through: Ms. Kamna Vohra, ASC for the State.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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12.04.2019

By the present petition filed under Article 226 of the Constitution of India read with Section 482 of Code of Criminal Procedure, the petitioner seeks quashing of order dated 06.10.2018 passed by the DS, Legal, PHQ, Delhi Prisons and for grant of furlough for a period of 3 weeks on the ground of maintaining social ties and taking care of his family.

Heard.

Status report and Nominal roll have been filed. Perusal of the nominal roll of the petitioner shows that he is undergoing Rigorous Imprisonment for the offence punishable under Section 302/34 of the Indian Penal Code in Case FIR No. 230/2004 registered at Police Station – Ambedkar Nagar.

The petitioner has already undergone 13 years 11 months and 29 days. The jail conduct of the petitioner has been found to be satisfactory except at one instance when he failed to surrender within time. Residential address i.e. of Smt. Meena Kumar sister of the petitioner where he proposes to reside

has been verified by the State.

Keeping in view the facts and circumstances of the present case, the present petition is allowed. The petitioner is directed to be released on furlough for a period of three weeks, w.e.f. 22.04.2019 to 12.05.2019, subject to:

- i) his furnishing personal bond with one local surety in the sum of Rs.20,000/- with one surety of the like amount, which surety would be of the sister of the petitioner, that is of Meena Kumari, to the satisfaction of the Jail Superintendent;
- ii) That during the period of furlough the mobile phone of Meena Kumar will be kept in active mode so that the petitioner can be contacted from her mobile phone and the same shall not be changed without prior intimation to the Jail Superintendent;
- iii) he shall duly surrender in Jail on 13.05.2019 before noon;
- iv) he shall also not indulge in any criminal activity during the period of furlough.
- v) During the period of furlough, the petitioner will report to PS Ambedkar Nagar on every Monday at 4:00 PM.

A copy of this order be communicated to the Jail Superintendant concerned.

Copy of this order be given *dasti* under the signatures of Court Master, as prayed.

SANGITA DHINGRA SEHGAL, J

APRIL 12, 2019

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