

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

% *Date of decision: 18.10.2019*

+ **W.P.(CRL) 2274/2019**

ILYASUDDIN

..... Petitioner

Through: Mr. Saurabh Soni, Advocate

Versus

STATE

..... Respondent

Through: Mr. R.S.Kundu, Additional Public
Prosecutor for State with SI Brahm
Prakash

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (ORAL)

1. Petitioner's prayer seeking first spell of *furlough* for three weeks has been declined by the concerned authorities vide order of 6th June, 2019 with the observation that his presence is highly dangerous to public peace and tranquility and he may jump *furlough*. Quashing of aforesaid order of 6th June, 2019 and *furlough* for three weeks is sought by petitioner vide this petition.

2. Notice.

3. Mr. R.S.Kundu, learned Additional Public Prosecutor for State, accepts notice and opposes this petition.

4. Learned counsel for petitioner states that the order passed by the concerned Inspector General of Police is purely based on presumptions

and that petitioner has been already granted parole by this Court in W.P.(CrI.) 2743/2018 which petitioner had successfully completed and surrendered in time.

5. Heard.

6. In the facts and circumstances of this case and in the interest of justice, this petition is allowed and petitioner is directed to be released on first spell of *furlough* for a period of three weeks from the date of his release on his executing a personal bond in the sum of Rs.10,000/- with one local surety in the like amount to the satisfaction of the Jail Superintendent, subject to following conditions:

- (i) The petitioner will not leave National Capital Territory of Delhi without prior permission of the Court;
- (ii) He will furnish to the Investigating Officer his mobile number and residential address where he will stay during the period of parole;
- (iii) He will report to the concerned Station House Officer (SHO) /Investigating Officer (IO), on every Monday;
- (iv) In case of any change in his residential address or the mobile number, he will inform the SHO/IO;

The petition stands disposed of in above terms.

(BRIJESH SETHI)
JUDGE

OCTOBER 18, 2019

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