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

+ **W.P.(CRL) 2605/2018**

PINTOO BISWAS

..... Petitioner

Represented by: Mr. Gautam Khazanchi and Mr.
Akhilesh Kumar, Advocates.

versus

STATE

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with SI Rahul
Kumar, PS Laxmi Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.02.2019

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By this petition, the petitioner seeks modification of the order dated 15th May, 2018 whereby he was granted 1st spell of furlough for a period of three weeks on his furnishing a personal bond and surety bond in the sum of ₹10,000/- as also quashing of the order dated 5th July, 2018 whereby the modification of the order dated 15th May, 2018 was rejected.

Case of the petitioner is that he could not avail furlough as his wife has now shifted to West Bengal and thus there is none to furnish the surety bond.

A status report has been filed after verifying the facts that the wife of the petitioner has shifted to her parental home at village Aravpur/Akhbarpur, PS Hugalberiya, Distt. Nadiya, West Bengal. Mother of
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the petitioner is also residing at village Jal Tank Para, Natna Colony, PS Karimpur, Distt. Nadiya, West Bengal. Moreover the son of the petitioner aged around 17-18 years is working as labourer in Kerala.

The petitioner states that he has some money deposited in his account maintained in Jail and thus in a position to furnish the cash surety. Considering that the family members of the petitioner cannot come to Delhi to furnish the surety bond, this Court deems it fit to modify the order dated 15th May, 2018.

Consequently, the petitioner is directed to be released on 1st spell of furlough for a period of three weeks on his furnishing a personal bond in the sum of ₹10,000/- with one cash surety of the like amount subject to the satisfaction of the Superintendent, Tihar Jail No. 2 and the other conditions in the order granting furlough remaining same.

Petition is disposed of.

Copy of this order be communicated to the petitioner through Superintendent, Tihar Jail.

MUKTA GUPTA, J.

FEBRUARY 28, 2019
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