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

+ **W.P.(CRL) 3945/2018**

SHAHJAHAN

..... Petitioner

Represented by: Mr. B. Badrinath, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Jamal Akhtar, Advocate for Mr. Rahul Mehra, Standing Counsel for the State with ASI Puran Singh, PS Gokul Puri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.02.2019

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By this petition, the petitioner seeks parole on the ground that she is suffering from back problems, so wants to consult a private doctor and to be with her grandchildren. She also challenges the order dated 29th August, 2018 rejecting her application for parole for maintaining social ties.

A medical report of the petitioner has been received from jail as per which the petitioner is being taken to GB Pant Hospital, Gastroenterology Department where it was found that her case history was suggestive of fatty liver and smooth circumferential thickening of pyloric region most likely of benign etiology. Petitioner is on regular medication.

As per the nominal roll the petitioner has also been granted furlough by the Competent Authority on 11th January, 2019 but she could not avail the same as a co-accused was out on furlough.

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The petitioner needs treatment and she wishes to consult a private doctor. The furlough granted to the petitioner can be availed by her. Therefore, the condition on the furlough granted to the petitioner that she can be released only after the co-convict surrenders is waived in view of the medical condition of the petitioner. Petitioner is directed to be released irrespective of the surrender of the co-convict on her complying with the other terms and conditions of grant of furlough.

Petition is disposed of.

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

MUKTA GUPTA, J.

FEBRUARY 18, 2019
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