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

+ **W.P.(CRL) 131/2020**

SANDEEP

..... Petitioner

Through: Ms Anuj Kapoor, Advocate.

versus

STATE

..... Respondent

Through: Ms Nandita Rao, ASC for State with
SI Shiv Prakash, PS Anand Parbat.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.01.2020

1. The petitioner has filed the present petition, *inter alia*, praying that the petitioner be released on furlough for a period of two weeks on his furnishing a Personal Bond with cash security in lieu of a surety bond.

2. The petitioner was granted third spell of furlough by an order dated 30.09.2019. This was subject to certain conditions, including that the petitioner would furnish one surety of ₹10,000/- along with a Personal Bond in the like amount. The petitioner states that he is not in a position to secure any person who will stand as a surety for his release and, therefore, had requested that the said condition be relaxed.

3. The petitioner's request for relaxation of the said condition was rejected by an order dated 26.11.2018, which is impugned in the present petition.

4. The learned counsel appearing for the petitioner states that in the past,

the petitioner was released on parole on furnishing a Personal Bond and a cash security without stipulation of providing a surety bond. This fact has been verified by the respondent.

5. Ms Rao, learned ASC states that there has been a change in the circumstances inasmuch as, the petitioner's father has transferred the house where the petitioner intends to reside with his son-in-law (that is, petitioner's brother-in-law), who is not in cordial terms with the petitioner. She states that in the circumstances, the petitioner can be released only on the condition that he will provide his address and ensure that he stays only at that address.

6. In view of the above, the present petition is allowed and the petitioner is directed to be released on furlough in terms of order dated 30.09.2019 albeit on the condition that he provides cash security of ₹10,000/- and a Personal Bond. The condition of providing surety is dispensed with. This is also subject to the petitioner furnishing an address where he would stay during his period of release and the same being verified. The petitioner shall ensure that on his release, he stays at the address so provided and no other place.

VIBHU BAKHRU, J

JANUARY 20, 2020
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