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

+ **W.P.(CRL) 432/2020**

MD. ISRAR

..... Petitioner

Through: Mohd Hashim Miyan, Advocate for
Mr Mayank Mikhail Mukherjee,
Advocate.

versus

STATE

..... Respondent

Through: Mr Sanjay Lao, ASC for State with
Mr Karanjeet Sharma, Advocate for
State with Insp. Sikander, PS Jamia
Nagar and ASI Inderpal Singh, PS
NDRS.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.02.2020

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 16.01.2020, whereby the petitioner's application for modifying the order granting him parole had been rejected.
2. The petitioner was granted furlough for a period of three weeks by an order dated 20.11.2019 passed by the Director General of Prisons. However, the same was subject to various conditions. This included a condition that the petitioner would furnish two sureties of ₹10,000/- along with a personal bond of the like amount.
3. The petitioner was finding it difficult to produce two sureties and therefore, filed an application praying that the condition for providing two

sureties be relaxed to provide only one surety. The said application was rejected by an order dated 16.01.2020, which is impugned herein.

4. The learned counsel appearing for the petitioner states that the petitioner had been released on parole on two prior occasions and there is no allegation that he had misused his liberty. He further submits that the petitioner was released on parole on earlier occasions, on furnishing one surety and therefore, his application for relaxing the conditions, as imposed in the order dated 20.11.2019, ought to have been accepted.

5. Considering that the petitioner had been released on parole on two prior occasions pursuant to the orders passed by this Court and there is no allegation that he had misused the liberty, this Court considers it apposite to allow the present petition.

6. Accordingly, the order dated 20.11.2019 granting furlough to the petitioner is modified to the limited extent of reducing the requirement of furnishing two sureties to one surety. The petitioner shall be released on furlough in terms of order dated 20.11.2019 on furnishing one surety of ₹10,000/- and a personal bond of the like amount. All other conditions stipulated in the said order are required to be complied with.

7. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

FEBRUARY 13, 2020
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