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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 206/2024

SHANTANU

..... Petitioner

Through: Mr. Siddharth Yadav, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, SC for State with SI
Kunal Kishor P.S. Lahori Gate, Delhi

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

24.01.2024

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1. The present petition has been filed seeking issuance of writ of mandamus for granting first spell of furlough to the petitioner for a period of three weeks in connection with FIR No. 171/2016 under Section 376 IPC and Section 6 of POCSO Act registered at P.S. Lahori Gate.
2. Notice in the petition was issued on 22.01.2024 with a direction to the respondent to file the status report. A copy of the status report has been handed over in Court today alongwith order of the competent authority dated 23.01.2024, indicating that the petitioner has been granted first spell of furlough for a period of three weeks subject to the conditions mentioned in the said order. The status report is taken on record.
3. Learned counsel for the petitioner submits that in the order granting furlough, a condition has been imposed to furnish two sureties of



Rs.10,000/-.

4. He submits that the petitioner is not in a position to furnish two sureties as his father has passed away and the only member available in the family is his mother, whereas his sister and brother-in-law are staying in Chandigarh.
5. In view of the above, the condition of furnishing two sureties is modified and it is directed that the petitioner be granted first spell of furlough subject to his furnishing one surety of Rs.10,000/- subject to the satisfaction of the learned Trial Court/Duty MM/CMM. The other conditions mentioned in order dated 23.01.2024 shall remain unaltered.
6. The petition stands disposed of in the above terms.
7. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
8. Order dasti under signatures of the Court Master.
9. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 24, 2024

N.S. ASWAL