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

+ W.P.(CRL) 840/2024

ICHCHA RAM

..... Petitioner

Through: Ms.Sunita Arora, Adv.
(DHCLSC)

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr.Sanjeev Bhandari, ASC
with Mr.Arjit Sharma and
Mr.Vaibhav Vats, Advs. with
SI Braham Parkarsh, PS
Sultanpuri.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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04.09.2024

CRL.M.A. 26695/2024

1. This application has been filed by the petitioner praying for reducing the cash surety amount from Rs.20,000/- to Rs.10,000/- as a condition for releasing the petitioner on furlough.
2. Issue notice.
3. Notice is accepted by Mr. Sanjeev Bhandari, learned additional standing counsel on behalf of the respondent.
4. *Vide* Order dated 22.03.2024 passed in the present petition, the petitioner was directed to be released on furlough, subject to the condition that the petitioner shall furnish a personal bond in the sum of Rs.10,000/- along with one surety of the like amount to the satisfaction of the Jail Superintendent, Central Jail, Tihar.



5. By a subsequent Order dated 12.07.2024, the earlier Order dated 22.03.2024 was modified to the limited extent that he may be released on furlough on furnishing a cash surety of Rs.20,000/-.

6. The petitioner asserts that he has lost all his contacts and, therefore, failed to arrange the requisite amount for the cash surety. It is stated that the family of the petitioner belongs to the poor strata of society and there is no one else in the family, except two married sisters who are living at their matrimonial house with their respective families, and that they have been asked not to stand as a surety by their in-laws. The petitioner, therefore, prays that the surety amount be reduced to Rs.10,000/-.

7. The learned counsel for the respondent, who appears on advance notice, opposes the application by stating that earlier, on the own application of the petitioner, the Order dated 22.03.2024 was modified by this Court directing the petitioner to furnish a cash surety of Rs.20,000/-. He submits that there is no reason for now reducing the cash surety even further.

8. I have considered the submissions made by the learned counsels for the parties.

9. As per the Nominal Roll dated 20.05.2024 of the petitioner, the petitioner has already undergone a sentence of more than 13 years and has earned remission of more than 1 year.

10. The petitioner has been unable to avail of the relief granted by this Court *vide* its Order dated 22.03.2024 as he has lost contact with the outside world and is unable to manage the surety of the cash amount. The benefit of the relief granted to the petitioner cannot be



denied only because of these circumstances.

11. Accordingly, the Order dated 12.07.2024 is further modified by reducing the cash surety amount to Rs.10,000/- as a condition for the petitioner to be released on furlough.

12. Let a copy of this Order be sent to the concerned Jail Superintendent for ensuring compliance.

13. Needless to state that the present Order is being passed on the special facts of the case and shall not be treated as a precedent.

NAVIN CHAWLA, J

SEPTEMBER 4, 2024/ns/DG

[Click here to check corrigendum, if any](#)