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

+ **W.P.(CRL) 2310/2024**

MOHD. TASLIM ALI

.....Petitioner

Through: Mr. Chinmaya K. Bhatt, Mr. Arjun Malik and Ms. Amrita Pandey, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Peswani for Ms. Nandita Rao, ASC (CRL).
SI Manju Redhu, PS Timarpur

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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13.11.2024

CRL.M.A. 31143/2024

By way of the present application filed under section 485/490 read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks modification of condition No. 3.1 imposed *vide* order dated 06.09.2024 whereby he was granted parole for a period of 04 weeks.

2. Mr. Arjun Malik, learned counsel appearing for the petitioner submits, that as can be seen from the record, the petitioner is ordinarily a resident of District : Bhagalpur, Bihar and is availing parole for the first time after completing the minimum imprisonment as a convict.
3. Counsel submits that otherwise the petitioner has spent about 2½ years in custody and is unable to produce any surety from his native place since his period of incarceration has resulted in alienation from his family and he is not in touch with them.



4. Counsel however submits, that the petitioner is ready and willing to furnish 01 local surety in the sum of Rs.15,000/- and condition No.3.1 be modified to that extent.
 5. Issue notice.
 6. Mr. Amit Peswani on behalf of Ms. Nandita Rao, learned ASC (Criminal) appears for the State, leaves it to court to pass appropriate order.
 7. Considering the circumstances of the case and the fact that the petitioner has not been able to avail parole despite order dated 06.09.2024 having been granted in his favour and the fact that he is ordinarily a resident of District : Bhagalpur, Bihar, this court is persuaded to allow the present application and to thereby direct that condition No.3.1 shall stand modified to read that petitioner shall furnish a personal bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand Only) with 01 local surety in the like amount to the satisfaction of the Jail Superintendent.
 8. All other conditions imposed *vide* order dated 06.09.2024 shall remain the same.
 9. The application stands disposed-of.
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10. The petition already stands disposed-of *vide* order dated 06.09.2024.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 13, 2024

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