



\$~74

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

+ **W.P.(CRL) 3677/2023**

PAWAN KUMAR

..... Petitioner

Through: Mr. Archit Upadhyay (DHCLSC),
Advocate with Ms. Ruchi Babbar,
Advocate

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. A. Bachawat, Advocate for Ms.
Nandita Rao, ASC for the State

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

05.02.2024

%

CRL.M.(BAIL) 214/2024 (modification of order dated 12.01.2024)

1. The instant application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking following prayer:

“a. To modify the order dated 12.01.2024 thereby changing in para no.3 "seeks furlough" in place of "seeks parole", in para no. 15 "grant furlough" in place of "grant parole" and in para 15 ii. "period of furlough" in place of "period of parole",

b. To modify the condition no. ii in para no. 15 of the order dated 12.01.2024 to such an extent that the Petitioner may be permitted to leave the National Capital Territory of Delhi.”

2. As far as prayer (a) is concerned, the same being clerical error, stands modified.



3. As far as prayer (b) is concerned, it is stated that earlier when the sentence of the appellant herein was suspended vide order dated 08.06.2022, the following conditions were imposed upon him:

“(i) The appellant shall furnish a mobile number to the concerned SHO, on which he will remain available and which shall be kept operational by him at all times during the period of interim release.

(ii) The appellant shall mark his presence either before the SHO, Police Station Iglas, District Aligarh, Uttar Pradesh, or SHO, Police Station Hathras, Uttar Pradesh on every Monday and Thursday during the period of his interim release.

(iii) The appellant shall immediately surrender upon expiry of the period of interim bail before the concerned jail authority.

4. Keeping in view order dated 08.06.2022, condition (ii) of order dated 12.01.2024 is also modified. Para nos. 3 and 15 of order dated 12.01.2024 will now read as under:

“3. The petitioner seeks furlough for a period of three weeks for establishing social and family ties and to curb inner stress.

15. Considering the aforesaid facts and circumstances, and also the fact that the petitioner has been granted furlough, this Court is inclined to grant furlough to the petitioner for a period of three weeks from the date of his release on the following conditions: -

“(ii) The petitioner is permitted to leave the National Capital Territory of Delhi and shall mark his appearance either before the SHO, Police Station Iglas, District Aligarh, Uttar Pradesh, or SHO, Police Station Hathras, Uttar Pradesh on every Monday and Thursday during the period furlough.”



5. Accordingly, the present application stands disposed of.
6. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 5, 2024/ns

Click here to check corrigendum, if any