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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2605/2024 and CRL.M.A. 25524/2024**

RANJEET NAIK

.....Petitioner

Through: Mr.Arjun Malik, Advocate

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Nandita Rao, ASC for State with
Mr.Amit Peswani, Advocate with SI
Manik

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.08.2024

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1. By way of present petition, the petitioner seeks issuance of writ in the nature of certiorari, *inter alia*, quashing furlough rejection order No. F.10 (3769529)/CJ/Legal/PHQ/2024/5693 dated 24.07.2024.
2. Learned counsel for the petitioner submits that the petitioner's application seeking furlough was considered and allowed vide order dated 24.05.2024. The said release was, however, subject to the petitioner furnishing two sureties of Rs.10,000/- each alongwith a personal bond of the like amount. Learned counsel submits that the petitioner is unable to furnish two sureties and accordingly, sought modification of the said order vide representation dated 25.06.2024. However, the said representation came to be dismissed by way of the impugned order dated 24.07.2024, stating that he is a convict undergoing sentence of 10 years under Sections 376/354D IPC and has spent only 4 years against the sentence imposed upon him and that there is a possibility of him jumping furlough. Learned counsel further submits that the nominal roll of the petitioner reflects that the petitioner was



earlier released twice on parole by this Court for a period of four weeks each, in the years 2022 and 2024 and that there were no allegations of the petitioner misusing the concessions so granted to him. He has also handed over a copy of the order dated 08.01.2024 passed in W.P.(CRL) 2052/2023, whereby the petitioner was directed to be released on parole subject to his furnishing a personal bond and deposit of cash security of Rs.10,000/- in lieu of the surety bond.

3. Issue notice.
4. Learned ASC for the State accepts notice and though she opposes the prayer made in the petition, submits that there is nothing on record which suggests that the petitioner has violated the parole conditions at any point in time.
5. Considering the aforesaid, the order dated 24.05.2024 is modified to the extent that the petitioner be released on furlough on his furnishing a personal bond and deposit of cash security of Rs.10,000/- only. As a necessary sequitur, the order dated 24.07.2024 is hereby set aside.
6. The other conditions mentioned in the order dated 24.05.2024 shall remain the same.
7. The petition is disposed of in the above terms alongwith the pending application.
8. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.
9. Copy of the order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

AUGUST 29, 2024/na