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

+ **W.P.(CRL) 3523/2024**

LAL MOHAMMED

.....Petitioner

Through: **Mr. Arman Sharma and Mohd. Aman
Khan Afghani, Advocates**

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: **Mr. Rahul Tyagi, ASC for State along
with SI Raghuraj Singh, PS: Sangam
Vihar**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **31.01.2025**

CRL.M.A. 3120/2025 (Application under Section 528 of the BNSS for
release of Petitioner on personal bond)

1. The present application has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') for release of the Petitioner on personal bond.
2. It is stated that this Court vide order dated 25.11.2024 passed in the underlying petition granted furlough to the Petitioner for three (3) weeks from the date of his release, upon furnishing personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of the Jail Superintendent.
3. It is stated in the present application that the Petitioner's family consist of his elder brother who lives in Uttar Pradesh and his elder brother is not in a position to travel to Delhi to provide surety as he is unfamiliar



with Delhi. On this ground, the Petitioner seeks that he may be permitted to be released on personal bond.

4. The Petitioner was earlier released on furlough on 05.04.2024 and had furnished a surety. Learned counsel for the Petitioner is unable to explain the status of the said surety or why the said surety is unavailable this time.

5. In the facts of the present case, the Petitioner has been convicted for the rape of his minor daughter. In these peculiar facts, this Court is of the opinion that furnishing of a surety is necessary so as to ensure the whereabouts of the Petitioner during his release and to ensure his good conduct as well as his due surrender.

6. No ground is made out for exemption.

7. The application is accordingly dismissed.

MANMEET PRITAM SINGH ARORA, J

JANUARY 31, 2025/rhc/sk