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

+ **W.P.(CRL) 900/2025**

RAHIS AHMAD @BAMBIA

.....Petitioner

Through: **Mr. Harshit Jain and Mr. Rahul
Kumar, Advocates.**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Mr. Sanjay Lao, Standing Counsel
(criminal) for the State with Ms.
Priyam Agarwal, Mr. Abhinav Kr.
Arya and Mr. Aryan Sachdeva,
Advocates.
SI Sachin, PS Khajuri Khas.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.03.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 8440/2025 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 900/2025

3. The present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS has been filed seeking the following prayers: -

“a. Issue a writ or order in the nature of Certiorari quashing the Rejection Order no. F.10(003741952)/CJ/LEGL/ PHQ/2025/M- 1851 dated 27.02.2025 ;

b. Issue a writ or order in the nature of Mandamus directing the respondent to release the petitioner on furlough for a period of 03 Weeks on him furnishing only Cash Surety or his personal bond;

c. Pass any other order or further orders, which this Hon'ble Court deems fit and proper in the interest of justice;



4. Learned counsel for the petitioner submits that the latter was granted furlough for a period 3 weeks by the competent authority, i.e., Director General of Prisons *vide* order dated 24.12.2024, *inter alia*, on the condition that he shall furnish two sureties of Rs. 20,000/- along with a personal bond of the like amount, however, he could not avail of the same as he is not able to arrange surety. He further submits that an application seeking modification of the said order was declined by the competent authority *vide* communication No. F.10(003741952)/CJ/Legal/PHQ/2025/M-1851 dated 27.02.2025. The said order reads as under: -

“This is in reference to application filed by convict Rahis Ahmad @ Bambia S/O Late Rehmatullah Khan for modification in furlough order dated 24.12.2024 to release on furlough on furnishing cash surety of Rs. 10,000/- instead of two surety.

In this regard, I am directed to inform that the request of above said modification in the order dated 24.12.2024 to release him on furlough on cash surety of 10,000/- instead of two sureties was considered by the competent authority and same had been declined at the stage.

This is for your kind information and necessary action with request to inform the convict under proper acknowledgement.”

5. Attention of this Court has been drawn to the orders dated 22.08.2024 passed by a Coordinate Bench of this Court in W.P.(CRL) 1050/2024, whereby the present petitioner was granted parole on his furnishing a personal bond along with one cash surety of the like amount.

6. Learned Standing Counsel for the State, who appears on advance notice, has affirmed the aforesaid fact that the present petitioner was earlier released on parole on personal bond along with cash surety of the like amount.

7. In view of the aforesaid, the order dated 24.12.2024 is modified to the extent that the petitioner be released on furlough on his furnishing a personal



bond of Rs. 10,000/- along with one cash surety of the like amount. Other conditions imposed *vide* order dated 24.12.2024 shall remain the same.

8. The present petition is allowed and disposed of accordingly, along with pending applications, if any.

9. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.

10. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MARCH 20, 2025/sn

Click here to check corrigendum, if any