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

+ W.P.(CRL) 987/2025
SANDEEP

.....Petitioner

Through: Mr. Biswajit Kumar Patra
and Mr. P.S. Rana,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC for
the State with Mr.
Bhawani Shankar Pathak,
Mr. Ashish Santoliya,
Advocates and SI Akshay,
PS V.K. North.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

27.03.2025

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1. The present petition is filed challenging the order dated 11.03.2025 (hereafter '**impugned order**'), passed by the Director General (Prisons), rejecting the petitioner's request to modify the condition of furnishing a surety for a sum of ₹10,000/-.
2. The petitioner was granted benefit of third spell of furlough by order dated 01.01.2025 subject to a number of conditions, including, that he shall furnish one surety of ₹10,000/- along with a personal bond.
3. It is pointed out that a similar condition was imposed on an earlier occasion when the petitioner was granted second spell of furlough. At that stage, by order dated 23.09.2024, in W.P.(CRL.) 2919/2024, after considering the circumstances, this Court had modified the aforesaid condition and permitted the petitioner to be released on him furnishing a personal bond and depositing a cash surety of ₹10,000/-.



4. The petitioner belongs to the poor strata of the society and cannot be denied benefit of his release on furlough only for the reason of his incapacity to furnish the surety bond.
5. It is common knowledge that the convicts who are in custody for a long period of time find it difficult to arrange surety. At times, even the family members are not willing to give surety.
6. It is undisputed that the petitioner has been released on furlough and parole on many occasions and he has not misused the liberty.
7. In view of the above, the present petition is allowed and the impugned order is set aside. Consequently, the order dated 01.01.2025 granting third spell of furlough to the petitioner is modified to the extent that the petitioner be released on furlough on his furnishing a personal bond and depositing cash surety of ₹10,000/- with the concerned Jail Superintendent. The remaining terms and conditions as imposed by the order dated 01.01.2025 shall remain the same.
8. The petition stands disposed of with the aforesaid observations.
9. A copy of this order be communicated to the concerned Jail Superintendent for information and compliance.

AMIT MAHAJAN, J

MARCH 27, 2025

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