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

+ **LPA 375/2025 & CM APPL. 34835/2025**

SURENDER KUMAR

.....Appellant

Through: Mr. Sarthak Maggon, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC (Crl.) with Mr. Kshitiz Garg, Mr. Ashvini Kumar and Mr. Nitish Dhawan, Advocates for the State.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

29.05.2025

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1. Heard the learned counsel for the parties.
2. After arguing at some length, learned counsel for the appellant states that the appellant may be permitted to withdraw the appeal with liberty to him to approach the Director General of Prisons with a prayer to move him in open/semi-open prison.
3. Accordingly, the appeal is dismissed with the liberty as prayed for. In case any such application is made by the appellant for keeping him in open prison or in semi-open prison, the same shall be considered by the authority concerned in accordance with law and with expedition.
4. The appeal stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

MAY 29, 2025/yrj