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

+ W.P.(CRL) 534/2026, CRL.M.A. 4950/2026,
IRSHAD @ BABLOOPetitioner

Through: Mr. Anindya Malhotra, Ms. Ishita
Sehrawat & Mr. Durgesh,
Advocates.

versus

STATE (NCT OF DELHI)Respondent

Through: Mr. Sanjeev Bhandari, ASC with
Mr. Arjit Sharma & Ms. Sakshi
Jha, Advocates.
SI Mahender Kali, PS Bhalaswa
Dairy.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **23.03.2026**

1. The petitioner is serving a life sentence, having been convicted in proceedings arising out of FIR No. 694/2016 under Sections 302/147/148/149/34 of the Indian Penal Code, 1860, registered at Police Station Bhalaswa Dairy, District North, Delhi.
2. The petitioner's application for furlough was allowed by the competent authority *vide* order dated 30.08.2025, subject to furnishing of surety of Rs. 10,000/-, alongwith a personal bond in the like amount. The difficulty with which he has approached this Court is that he is unable to arrange a surety, and wishes to furnish cash surety instead.
3. His request to this effect has been declined by the Competent Authority *vide* order dated 13.11.2025.



4. By way of this writ petition under Article 226 of the Constitution, the petitioner now seeks release on the first spell of furlough upon furnishing a cash surety instead of furnishing a surety.

5. In the status report filed by the jail superintendent dated 20.02.2026, it is stated as follows:

“8. Further, in view of the submission given by the Ld. Counsel for the petitioner it is submitted that, earlier also the said convict approached for the same before this Hon’ble Court vide W.P.Crl No. 4224/2024 whenever he was granted first spell of furlough granted by the DG(P) vide order no 2746 dated 01.10.2024 but the said convict didn't wait for the disposal of the said petition and meanwhile he was released from this jail on 24.06.2025 to avail furlough after furnishing the condition of one surety of Rs. 10,000/- alongwith personal bond of like amount and at that time Ms. Mehraj W/o Israr R/o KH No. 51, Gali No. 10, Mukund Vihar, Part - Mukundpur, Delhi - 110047 fulfill the condition of surety to release the convict and submitted a copy of AADHAR Card vide no. 9646-3604-5396 and a bank FDR A/c 481000PU00034294 dated 23.01.2024 of Rs. 10,000/- issued by Punjab National Bank, Branch - Mukundpur, Delhi which was duly verified from Bank Manager and directed to marked as HOLD the same FDR by this office and the verification of above said surety was also sought from concerned DCP which was received in this office from DCP, Outer North District Vide no. 4100 dated 02.06.2025.

9. In view of the above, it is also submitted that the surety Ms. Mehraj W/o Israr is still valid for the release of said convict on furlough as the surety verification and the FD submitted by the surety at that time are still deposited in this office and the petitioner shall be released as and when Ms. Mehraj S/o Israr presenting herself before the undersigned for furnishing the condition of surety.”

6. The Investigating Officer [“IO”] has also filed a status report dated 23.03.2026, which includes statement of Ms. Mehraj, w/o Israr, the aunt of the petitioner, who has furnished surety for the earlier spell of furlough, She stated that she is willing to furnish surety on this occasion as well.



7. By order dated 16.03.2026, Mr. Anindya Malhotra, learned counsel for the petitioner, was given an opportunity to seek instructions. He states that he has been unable to get any instructions.

8. Having regard to the contents of the status reports, from which it *prima facie* appears that the petitioner has already furnished a surety of his aunt, which is acceptable for the purposes of the present spell of furlough also, no further orders are required in this writ petition.

9. The petition stands disposed of in terms of the contents of the status reports filed by the jail superintendent and the IO. This will not preclude the petitioner from approaching the Court afresh, if the need arises.

PRATEEK JALAN, J

MARCH 23, 2026

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