

Ilyasuddin vs.state

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Court : Delhi

Decided On : Oct-18-2019

Appellant : Ilyasuddin

Respondent : State

Advocate for Pet/Ap. : Mr. Saurabh Soni

Judgement :

IN THE HIGH COURT OF DELHI AT NEW DELHI Date of decision:

18. 10.2019 * % + W.P.(CRL) 2274/2019 ILYASUDDIN Through: Mr. Saurabh Soni, Advocate

... Petitioner

Versus STATE CORAM: HON'BLE MR. JUSTICE BRIJESH SETHI
Respondent Through: Mr. R.S.Kundu, Additional Public Prosecutor for State with
SI Brahm Prakash JUDGMENT BRIJESH SETHI, J (ORAL) 1.

... Petitioner

s prayer seeking first spell of furlough for three weeks has been declined by the concerned authorities vide order of 6th June, 2019 with the observation that his presence is highly dangerous to public peace and tranquility and he may jump furlough. Quashing of aforesaid order of 6th June, 2019 and furlough for three weeks is sought by petitioner vide this petition.

2. Notice.

3. Mr. R.S.Kundu, learned Additional Public Prosecutor for State, accepts notice and opposes this petition.

4. Learned counsel for petitioner states that the order passed by the concerned Inspector General of Police is purely based on presumptions W.P.(Crl.) 2274/2019 Page 1 of 2 and that petitioner has been already granted parole by this Court in W.P.(Crl.) 2743/2018 which petitioner had successfully completed and surrendered in time.

5. 6. Heard. In the facts and circumstances of this case and in the interest of justice, this petition is allowed and petitioner is directed to be released on first spell of furlough for a period of three weeks from the date of his release on his executing a personal bond in the sum of Rs.10,000/- with one local surety in the like amount to the satisfaction of the Jail Superintendent, subject to following conditions: (i) The petitioner will not leave National Capital Territory of Delhi without prior permission of the Court; (ii) He will furnish to the Investigating Officer his mobile number and residential address where he will stay during the period of parole; (iii) He will report to the concerned Station House Officer (SHO) /Investigating Officer (IO), on every Monday; (iv) In case of any change in his residential address or the mobile number, he will inform the SHO/IO; The petition stands disposed of in above terms. OCROBER18 2019 r W.P.(Crl.) 2274/2019 (BRIJESH SETHI) JUDGE Page 2 of 2

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