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

+ **W.P.(CRL) 1702/2025**

SURENDER KUMAR

.....Petitioner

Through: Mr. Sarthak Maggon, Advocate

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC for State with
Inspector Sahi Ram, PS Vasant Vihar

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

21.05.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CRL.M.A. 15894/2025 (exemption)

1. Allowed, subject to all just exceptions.

**W.P.(CRL) 1702/2025, CRL.M.A. 15892/2025 (exemption from
surrender) & CRL.M.A. 15893/2025 (for calling of complete records)**

2. The petitioner seeks to challenge the order dated 10.12.2024 of SRB whereby his request for premature release was declined.

3. Currently, the petitioner is on furlough, which is scheduled to end on 27.05.2025. Therefore, petitioner has sought exemption from surrender. Learned ASC accepting notice takes me through annexure P12, which is copy of order dated 31.01.2025, whereby the petitioners of that case were granted extension of four weeks to surrender, making it clear that no further extension shall be granted. Besides that, once the petitioner was released on furlough, he is duty bound to surrender and thereafter, if so advised seek further remedy.



4. Therefore, the application for exemption from surrender is dismissed.
5. Learned counsel for petitioner seeks to place reliance on Annexures P25-P31, which orders are passed by some coordinate benches. But the issue has to be decided keeping in mind the facts and circumstances of each case. Having examined the record including the reasons for which the SRB rejected the petitioner's request for premature release, I find no reason to grant such exemption.
6. Status report be filed by State within four weeks. Nominal rolls be called within four weeks.
7. Relist on 20.08.2025.

GIRISH KATHPALIA, J

MAY 21, 2025/as

[Click here to check corrigendum, if any](#)