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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 978/2009

MOHD. SHIEKH NOOR HUSSAIN Petitioner
Through Ms. Charu Verma, Adv. with Ms. Rabia, wife of
the petitioner and her uncle Mr. Moinuddin.

versus

STATE Respondent
Through Mr. Rajat Katyal, ASC with ASI Ram Saran.

CORAM:
HON'BLE MS. JUSTICE GITA MITTAL

ORDER
02.09.2009

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1. Mr. Moinuddin is present and submits that he is residing at Jhuggi No.203, Cement Godown, Netaji Nagar, Sarojini Nagar, New Delhi. He submits that Mrs. Rabia, wife of the petitioner is his niece and is residing with him.

ASI Ram Saran from the concerned police station is present and submits that Mr. Moinuddin is residing at the address.

2. The present petition filed by the petitioner seeking parole for a period of three months in order to establish social ties and arrange finances for his wife deserves to be considered in the light of the well settled principles laid down by the Apex Court. Perusal of the nominal roll received from the jail would show that the applicant has been in custody for over a period of seven years pursuant to his conviction and order of sentence dated 31st March, 2006. Mr. Moinuddin

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further submits that he is willing to furnish the surety in respect of the petitioner in the case if the prayer in the present petition is favourably considered.

In view of the above, subject to the petitioner furnishing a personal bond in the sum of Rs.10,000/- with the surety bond of Mr. Moinuddin, son of Shri Baharuddin, of the like amount to the satisfaction of the trial court, the petitioner shall be released on parole for a period of one month from the date of his release.

The petitioner shall surrender to the Superintendent, Tihar Jail on expiry of the period of parole.

This writ petition is allowed in the above terms.

SEPTEMBER 02, 2009
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GITA MITTAL, J