

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **W.P.(CRL) 1502/2010**

Decided on 07.12.2010

IN THE MATTER OF :

MANJEET SINGH Petitioner
Through : Ms. Neelam Grover, Adv.

versus

STATE Respondent
Through : Ms. Meera Bhatia, ASC for the State
with SI Sandeep, PS Model Town.

CORAM

*** HON'BLE MS.JUSTICE HIMA KOHLI**

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| 1. Whether Reporters of Local papers may be allowed to see the Judgment? | No |
| 2. To be referred to the Reporter or not? | No |
| 3. Whether the judgment should be reported in the Digest? | No |

HIMA KOHLI, J. (*Oral*)

1. The present petition is filed by the petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. praying *inter alia* for extension of parole for a period of three months for the purpose of taking care of his wife who is suffering from heart problem.

2. Fresh status report is handed over by the learned ASC for the State, with an advance copy to the other side. The same is taken on record. Nominal roll of the petitioner is also on record.

3. As per the nominal roll of petitioner, the petitioner was convicted in FIR No. 109/1991 under Sections 302/34 IPC for life imprisonment and fine of Rs.2,500/-, in default of payment of fine, simple imprisonment for a

period of 14 months.

4. Counsel for petitioner states that the need to prefer the present petition has arisen on account of the ill-health of the petitioner's wife, who is suffering from heart ailment. Though the GNCT of Delhi had granted parole to petitioner for a period of one month from 29.8.2010 till 30.9.2010, further parole has been sought for by the petitioner on the ground that the condition of his wife is still not very good and she requires hospitalization to undergo heart surgery. The petitioner had surrendered on 30.9.2010.

5. As per the nominal roll, the jail conduct of the petitioner for the past one year has been satisfactory. However, there is one other case pending against him, for which he has been granted bail.

6. It is stated in the status report that the Investigating Officer approached the doctor treating the wife of the petitioner, who confirmed the fact that the wife of the petitioner is required to undergo angiography. The neighbours of the petitioner have also confirmed the fact that the wife of the petitioner has not been keeping well for several days.

7. Having regard to the status report and the submissions made by the counsel for the petitioner, the present petition is allowed. The petitioner is granted parole for a period of four weeks, subject to the following conditions

:-

- (i) The petitioner shall furnish a personal bond in the sum of ₹10,000/- with one local surety of the like amount, to the satisfaction of the trial court.
- (ii) The petitioner shall report to the SHO of the Police Station at Agra, in whose jurisdiction he shall reside during the period of parole, once a

week on every Sunday at 10:00 AM.

- (iii) The petitioner shall furnish a telephone number to the Jail Superintendent on which he can be contacted, if required. After his release, he shall also inform his telephone number to the SHO of the police station concerned.
- (iv) Immediately upon the expiry of period of parole, the petitioner shall surrender himself before the Jail Superintendent.
- (v) The period of parole shall be counted from the day after the date when the petitioner is released from jail.

8. The petition is disposed of.

DASTI.

DECEMBER 07, 2010
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HIMA KOHLI,J