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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 189/2010

FRANCIS O AKAHIE

..... Petitioner

Through Mr. Tarun Nanda, Adv.

versus

STATE

..... Respondent

Through Mr. Narendra Singh, SPP for NCB

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

09.11.2011

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It is seen that this petition was filed for grant of parole which was allowed and the petitioner was granted parole for 25 days to enable him to file SLP before the Supreme Court. Record reveals that petitioner neither filed any SLP nor surrendered after the expiry of parole period. Thereafter warrants of arrest have been issued against him repeatedly which are returned with the reports of his being not traceable at the given address. Proceeding under section 446 Cr.P.C. was also initiated against the surety Sanjay Banerjee by the concerned court of ASJ. It is reported by the learned ASJ that a penalty of Rs.50,000/- was imposed on the surety and the same has already been deposited by him and that being so, the surety has already been

discharged.

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It is noted that the petitioner was convicted to undergo RI for 10 years and he has already undergone imprisonment of nine years and two months.

In view of the fact that the petitioner has jumped the parole and is not traceable and available at the given address, surety amount has been forfeited, no useful purpose would be served by continuing with the present petition. The petition stands disposed of. However, the State shall be at liberty to revive the same as and when the whereabouts of the convict/petitioner is known.



M.L. MEHTA, J

NOVEMBER 09, 2011
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