

\$~38

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

+ **W.P.(CRL) 994/2011**

LUV KUSH

..... Petitioner
Through Mr. Sumeet Verma, Adv.

versus

STATE OF THE NCT OF DELHI

..... Respondent
Through Mr. Pawan Sharma, SC for State with
SI Narendra Singh PS Anand Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.11.2011

%

By this petition the Petitioner seeks parole on the ground that he has to arrange for the medical treatment of his aged parents and re-establish ties.

On a notice being issued a status report has been filed. As per the status report the parents of the Petitioner are aged 85 years and 75 years and they are suffering from old age ailments. They are living alone in village Khichri, Post Office & Police Station Manik Pur, Distt. Chitrkoot, U.P. in a destitute condition. The parole of the Petitioner was rejected in view of the fact that a local Police stated that the house of the Petitioner was near a forest and there is a strong possibility that the Petitioner may form a gang

W.P.(CRL) 994/2011

page 1 of 2

Signature Not Verified

Digitally Signed By: AMULYA
* Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

4

and commit further offence. It may be noted that the Petitioner has been convicted for offence under Section 376 IPC for raping a girl staying in the neighbourhood while she was sleeping on the roof. There is no other person involved with the Petitioner. Further the Petitioner was awarded Rigorous Imprisonment for a period of 10 years out of which he has undergone nearly 7 years of imprisonment including remissions. The Petitioner has not availed either suspension of sentence or parole during this period.

In view of the facts and circumstances of the case, the Petitioner is directed to be released on parole for a period of four weeks on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of the like amount subject to the satisfaction of the Learned Trial Court/ CMM.

Petition is disposed of.

Copy of this order be communicated to the Petitioner through Superintendent Tihar Jail.


MUKTA GUPTA, J

NOVEMBER 28, 2011
'ga'