

17

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

+ WP(CRL.)NO.996/2013

MUKESH

..... Petitioners

Through : Mr. Aldanish Rein, Advocate

versus

STATE

..... Respondent

Through Ms. Priyanka Kapoor, Advocate for
Mr. Pawan Sharma, Standing Counsel (Crl.)
with SI Shri Gopal, PS Shakarpur.

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

**ORDER
01.07.2013**

%

1. The petitioner has filed the present petition praying *inter alia* for extension of parole on the ground that his father is undergoing treatment at the OPD in ESI Hospital and he needs constant care.
2. A status report has been filed by the State, wherein it is confirmed that the father of the petitioner is visiting ESI Hospital for undertaking treatment for hypertension, diabetes and spinal flexion. The status report mentions that the petitioner is a permanent resident of Shastri Nagar, Delhi and has a joint family that includes his parents, three brothers, nephew and niece, etc. and apart from one of the brothers, Mr. Suresh Kumar, who has been residing in Vaishali,

WP(CRL.)NO.996/2013

Page 1 of 3

Ghaziabad for the last ten years, all the remaining family members are living in the same premises. The elder brother of the petitioner, namely, Mr. Rakesh, is stated to have been convicted in case FIR No.105/1988 under Section 302/34 IPC, and he is already on parole to attend to his son, who has undergone renal transplantation and needs constant care.

3. Counsel for the petitioner states that as the elder brother of the petitioner is preoccupied with the treatment of his son, he is unavailable to take care of the father. However, counsel for the respondent/State points out that apart from Mr. Rakesh, the elder brother of the petitioner, Mr. Suresh is also available to attend to his father and the younger son of Mr. Rakesh, who is living in the same premises, can easily attend to the father of the petitioner, who is only an outdoor patient at ESI Hospital.

4. Having regard to the fact that the petitioner has already been granted parole for a period of one month on 4.3.2013, which period was extended by two weeks, vide order dated 7.6.2013, and in view of the fact that the father of the petitioner is an outdoor patient and can be escorted to the hospital by the other members of the family, who reside in the same premises, the Court is not inclined to extend the

parole granted to the petitioner on the grounds mentioned in the present petition. As the parole of the petitioner expires today, the petitioner shall surrender before the Superintendent, Jail in the course of the day.

5. The petition is disposed of.



HIMA KOHLI, J

JULY 01, 2013
sk/rkb