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

+ **W.P.(CRL) 3685/2025 & CRL.M.A. 33162/2025**

DEEPAK KUMAR @ CHINTU

.....Petitioner

Through: Mr. Faraz Maqbool (DHCLSC) with
Ms. A. Sahitya Veena and Ms. Ananya
Luthra, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC (CRL) with
Mr. Kshitiz Garg, Mr. Ashvini Kumar
and Mr. Nitish Dhawan, Advocates for
the State alongwith SI Ekta

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

11.11.2025

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1. Writ Petition under Article 226 of the Constitution of India of Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed seeking setting aside of the Rejection Order dated 20.06.2025 *vide* which Parole Application of the Petitioner has been denied.

2. It is submitted that the Petitioner had applied for a Parole for a period of one month in order to partake in grief of the bereaved family members on the demise of his father on 03.05.2025 and also to perform the rites and rituals i.e. tervi and barsi and to re-establish social ties with society and family members. However, the Parole has been rejected *vide* Order dated 20.06.2025 by noting that the conduct of the Petitioner was not satisfactory and the Police Authority had stated that if he is released on Parole, he can jump the Parole as the family



of the convict is residing as a tenant at the given address.

3. The impugned Order is challenged on the **grounds** that the family of the Petitioner comprises of widow mother, wife, younger brother and two married sisters. His father had expired on 03.05.2025 and his presence is required by the bereaved family. He resides at the address mentioned in the Memo of Parties. In case, the Parole is granted, he shall reside at the said address. Previously also, the Petitioner had been granted Parole on the ground of SLP. The address as mentioned in the Memo of Parties already stands verified.

4. It is claimed that he had never misused his Furlough and the liberty and has always surrendered on time, except in April, 2025. The delay in surrender was neither deliberate nor intentional. It may be considered as an exceptional circumstance, as he was not communicated the exact date of surrender after dismissal of his SLP. He is in incarceration for about 10 years out of life sentence.

5. It is further submitted that one warning dated 28.10.2023 was given but nothing adverse was recorded by the Jail Authority. He is working as a Ward Sahayak inside the Jail No. 2, Tihar, Delhi and earning Rs.7,400/- per month. He undertakes to abide by all the terms and conditions.

6. A prayer is made that he may be granted Parole for a period of one month in FIR No. 0185/2012, registered under Sections 302/34 IPC, at P.S. Mangolpuri.

7. ***It is submitted on behalf of the State*** that he has been granted few hours of custody Parole on account of the ill health/demise of his father. He hasd misconducted in the year 2021-22, when he did not surrender in time.

Submissions heard and record perused.



8. The overall conduct of the Petitioner as per the Nominal Roll, is stated to be satisfactory. The only unsatisfactory conduct is when the Petitioner did not surrender on time when he was released on 02 weeks' Interim Bail on 29.02.2021 and was re-arrested on 02.01.2022. However, he has been granted Parole even thereafter, by this Court.

9. Considering the totality of circumstances, the Petitioner is granted Parole for a period of 03 weeks upon his furnishing a personal bond in the sum of Rs.10,000/- and one Surety of the like amount to the satisfaction of the Jail Superintendent and subject to the following conditions:-

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing;
- b) Petitioner shall provide his mobile number to IO/SHO concerned, which shall be kept in working condition at all times;
- c) Petitioner shall inform the IO/SHO and the Jail Superintendent, about the address where he shall be available in Delhi;
- d) Petitioner shall ordinarily reside at the address mentioned in the Petition;
- e) Immediately upon the expiry of period of Parole, the Petitioner shall surrender before the Jail Superintendent.

10. Copy of this Order be communicated to the concerned Jail Superintendent for compliance.

11. The Petition along with pending Application, stands disposed of.

NEENA BANSAL KRISHNA, J.

NOVEMBER 11, 2025

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