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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010391812026
+ **W.P.(CRL) 2536/2026**
HIRAN

.....Petitioner

Through: Mr. Rajiv Bajaj, Ms. Shivani Bardia,
Mr. Naman Arora and Mr. Shubham
Bhati, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Sr. Advocate with
Mr. Sunil Kumar Gautam, APP for the
State with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya and Mr. Aryan
Sachdeva, Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
21.08.2026

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1. Petitioner seeks quashing of order No. F.18/26/2026/HG/PRISONS/5997-99 dated 04.05.2026 whereby his request to release him on parole has been dismissed.
2. The copy of the impugned order dated 04.05.2026 has been placed on record and the relevant observations are as under:-

"1. As per Rule 1211 sub rule (VII) of Delhi Prison Rule-2018, which provide that:- " following cases, parole shall not be granted, except if in the discretion of the competent authority special circumstances exist for grant of parole;

VII). If the prisoner is convicted under POCSO. In this case, the above said convict was guilty for committing offence punishable under POCSO Act.

2. Further, DG(Prisons) has not recommended grant of parole to said

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convict and police authority submitted that the residential address of said convict is not verified.”

3. Learned counsel for the petitioner submits that the Competent Authority has not considered the fact that the parole is being sought for challenging his conviction under *Protection of Children from Sexual Offences Act, 2012 (POCSO Act)*.

4. The petitioner herein was convicted for offence under Section 4 of POCSO Act and Sections 363/376(3) IPC and when he preferred appeal before this Court, his such appeal was dismissed on 21.07.2025.

5. Undoubtedly, it is already a belated action but according to petitioner, he is desirous of challenging the abovesaid dismissal of his appeal and, therefore, the parole is being sought so that he can file appropriate *Special Leave Petition* before the Hon'ble Supreme Court of India; and also to maintain social ties with his family and friends.

6. As per Rule 1208 of *Delhi Prison Rules, 2018*, the *Competent Authority* can consider any such application for grant of *parole* in case any such convict wants to file SLP before the Supreme Court of India against the judgment delivered by the High Court convicting or upholding the conviction, as the case may be.

7. It seems that aforesaid Rule has escaped the kind attention of the *Competent Authority*, while declining the aforesaid request.

8. Aforesaid Rule i.e. Rule 1208 would become redundant if the rejection is given merely on the basis of Rule 1211.

9. Moreover, though as per Rule 1211, a person convicted under POCSO Act may not be entitled to grant of parole, the abovesaid Rule is not absolute



as the Rule itself provides and postulates that *parole* can be given if there is any special circumstance.

10. Learned counsel for petitioner strongly relies upon *Rakesh v. State NCT of Delhi* 2022 SCC OnLine Del 1346, *Neeraj Bhatt v. State (NCT of Delhi)*, 2023 SCC OnLine Del 32 and order dated 06.11.2025 *Nadeem Vs. State (Govt. of NCT of Delhi)*: passed in W.P. (Crl.) 3627/2025. Reference be also made to *Bhola Sharma v. State of NCT of Delhi*: 2026:DHC:1407, *Sudama v. State of NCT of Delhi*: 2026:DHC:792 and *H.L v. State of NCT of Delhi*: W.P.(CRL) 1441/2026 (dated 11.05.2026).

11. Mr. Sanajay Lao, learned Senior Counsel for State, in all fairness, submits that, in case, convict is desirous of filing SLP, he would leave it to the discretion of this Court to pass appropriate orders.

12. The Nominal Roll is on record and his jail conduct during the last one year is recorded as *satisfactory*.

13. In view of the above, the present petition is allowed. Petitioner is granted *parole* for a period of four weeks, subject to the following conditions:-

- (i) The petitioner shall furnish a personal bond in a sum of Rs.20,000/- with two sureties of the like amount to the satisfaction of the Jail Superintendent.
- (ii) Jail Superintendent would be at liberty to get the addresses of the petitioner and his proposed sureties verified, before accepting the bonds.
- (iii) The petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM and shall not leave the National Capital Territory of Delhi during the period of parole.



(iv) 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.

(v) Immediately upon the expiry of period of parole, the petitioner shall surrender before the Jail Superintendent.

(vi) The petitioner shall furnish a copy of the SLP filed in the Supreme Court to the Superintendent Jail at the time of surrendering. A copy of such SLP shall also be placed on record of this case.

(vii) The period of parole shall be counted from the day when the petitioner is released from jail.

14. Pending application stands disposed of in aforesaid terms.

15. A copy of this order be sent to Jail Superintendent for information and compliance.

MANOJ JAIN, J

AUGUST 21, 2026/ss/sk