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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010408102026
+ **W.P.(CRL) 2646/2026&CRL.M.A. 26800/2026**
RAJENDER SINGH Petitioner

Through: Mr. Sanjay Kumar, Advocate
(DHCLSC).

versus

STATE OF NCT OF DELHI Respondent

Through: Mr. Sanjay Lao, Sr. Advocate with Mr. Sunil
Kumar Gautam, APP with Mr. Abhinav
Kumar, Mr. Aryan Sachdeva, Advocates
with W/SI Ekta.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **01.09.2026**

1. Petitioner herein takes exception to order dated 24.07.2026, whereby he has been apprised that his prayer for grant of *parole* has been rejected by the Competent Authority.

2. The reason of rejection is recorded as under:-

“As per Rule 1211 sub rule (VTI) of Delhi Prison Rule-2018, which provide that:- “In the 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 found guilty for committing offence punishable under POCSO Act.

The convict may be informed accordingly.”

3. Petitioner was held guilty for committing offence under Section 10 of *Protection of Children from Sexual Offences (POCSO) Act* and was, inter alia, sentenced for RI for a period of five years. His appeal has been dismissed by this Court on 06.10.2025 and the *parole* is, primarily, being sought to file

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appropriate *Special Leave Petition* (SLP).

4. 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.

5. 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.

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

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

8. 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.

9. 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).



10. Mr. Sanjay 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.

11. The Nominal Roll is on record and his jail conduct is recorded as *satisfactory*.

12. 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 reckoned from the day when the petitioner is released from jail.

13. Pending application stands disposed of in aforesaid terms.

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

MANOJ JAIN, J

SEPTEMBER 1, 2026/sw/sa