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

+ W.P.(CRL) 1256/2015

SURENDER KUMAR

..... Petitioner

Through Mr.Prakash Gohil & Mr.Rajneesh
Bharkar, Advs.

versus

THE STATE OF GOVT OF NCT OF DELHI

..... Respondent

Through Mr. Rajesh Mahajan, ASC.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **09.09.2015**

The petitioner is aggrieved by the order dated 01.05.2015 passed by the competent authority whereby his prayer for being released on parole for finding a suitable match for his daughter of marriageable age, to get the review petition prepared and to arrange funds for the same has been rejected.

The rejection was primarily on the ground that the police had apprehension of breach of law and order in case of his release.

Learned counsel for the petitioner submits that such report given by the police was without any credential information.

With reference to the nominal roll, it has been submitted that the conduct of the petitioner has been satisfactory.

The brother of the petitioner Rakesh Kumar who was granted parole earlier, has surrendered before the jail authorities and is presently lodged in

Central Jail No.2 Tihar, New Delhi.

The petitioner has also suffered major part of the sentence and he is in custody for more than 5 years.

The status report confirms the residential address of the petitioner.

The verification was made from the son and wife of the petitioner about the father of the petitioner who too was an accused and had jumped the bail bond. No information was given about his father.

Learned counsel for the petitioner submits that the father of the petitioner has been absconding from the process of law for last two decades and the entire family has no idea about his whereabouts.

Considering the aforementioned facts, this Court is inclined to grant parole to the petitioner for a specified period.

Let the petitioner be released on parole for a period of 30 days from the date of his release, subject to the petitioner furnishing a bond in the sum of Rs.5,000/- with one surety of the like amount to the satisfaction of the Trial Court, subject to the following conditions:-

- a) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Territory of Delhi.
- d) He shall furnish his mobile telephone number and the mobile telephone number of the surety to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his parole and for taking of the coercive steps for securing his attendance.

With these observations, the petition is disposed of.

Dasti.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

ASHUTOSH KUMAR, J

SEPTEMBER 09, 2015

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