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

+ W.P.(CRL) 1277/2015

SAMEER HUSSAIN

..... Petitioner

Through Ms. Rakhi Dubey, Adv.

versus

STATE

..... Respondent

Through Ms. Richa Kapoor, ASC.
ASI Mahavir Singh PS Neb Sarai,
South Distt.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.07.2015**

The status report has been filed in the court. Let it be taken on record.

Perused the status report as well as the order dated 08.05.2015 passed by the competent authority where the prayer of the petitioner for release on parole has been rejected on the ground that the conduct of the petitioner in prison has not been uniformly good and he has been punished on 02.07.2014.

The petitioner is in custody for more than 3 ½ years out of the sentence of 7 years for the offence under Section 398 of the IPC.

The nominal roll discloses that he was not released on parole or furlough at any time in the past.

A prayer has been made in this petition seeking quashing of the order dated 08.05.2015 as also for release of the petitioner on parole so as to

enable him to file SLP before the Supreme Court against the Appellate order by which his conviction has been sustained.

One of the guidelines for grant of parole is that if the convict desires to exercise the statutory right to file SLP before the Supreme court, he ought to be released for a limited period.

The petitioner was punished for his unsatisfactory conduct in jail from 02.07.2014 i.e. about a year back. Nothing untoward, has been reported thereafter.

The status report confirms the place of residence of the petitioner. The petitioner also, as submitted on his behalf, is required to attend to his ailing father.

Considering the aforementioned aspects, this Court is inclined to grant parole to the petitioner for a period of 30 days from the date of his release.

Let the petitioner be released on parole on his furnishing a personal bond in the sum of Rs.10,000/- with two sureties of the like amount, one such surety to be any close relative, subject to the satisfaction of the Trial Court.

The release of the petitioner would be subject to the following conditions:

- i. He shall not go out of the territorial limits of National Capital Region.
- ii. He shall furnish his mobile number and the mobile number of the sureties to the SHO of police station under whose jurisdiction, the residence of the petitioner is situated.
- iii. The petitioner would not involve himself in any other unlawful activity.

In case, the petitioner flouts any one of the conditions, it will be open to the SHO to have the parole granted to him cancelled.

The application is allowed and disposed of accordingly.

ASHUTOSH KUMAR, J

JULY 13, 2015

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