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

+ W.P.(CRL) 1206/2015

SUSHIL KUMAR SHARMA Petitioner
Through: Mr.Bharat Dubey with Mr.Vikas
Chopra, Advocates.

versus

GOVT OF NCT OF DELHI Respondent
Through:Mr.Sanjay Lao, ASC
S.I.Bishambar Dayal, P.S. C.P.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.07.2015**

Crl.M.A.No.8770/2015

The petitioner was released on parole for a period of one month by order dated 7.5.2015 passed in W.P.(Crl.)134/2015. The aforesaid order was passed on the grounds that the mother of the petitioner is 78 years of age whereas his father is 81 years old. The mother of the petitioner had undergone knee replacement surgery and had still not recovered at the time when the order was passed. She was also diagnosed of CAD-unstable angina and was advised CAG with revascularisation(Stenting/Surgery).

After the period of one month expired, the present application was filed seeking extension on the same set of grounds, namely, repair of the dilapidated house and looking after the ailing mother as the father of the petitioner is an octogenarian and in the absence of the petitioner, no medical treatment could be given to his mother.

Status report has been filed.

Perused the status report.

The knee replacement of the mother of the petitioner has been done successfully and according to the report, she is undergoing post operative physiotherapy. It has been submitted on behalf of the petitioner that because the mother of the petitioner was still convalescing, she could not be admitted to the hospital for surgery of her heart. The report of the Maharaja Agrasen Hospital indicates that the mother of the petitioner needed the said surgery and for that purpose medication was given to her. Since she did not get herself admitted in the hospital, the present status of the mother of the petitioner could not be known.

Mr. Sanjay Lao, Additional Standing Counsel, submits that the Sentence Reviewing Board has not held its meeting as a similar matter is pending consideration before the Supreme Court.

In such circumstances, during the course of the hearing, learned counsel for the petitioner made a limited prayer for extension of the period of the parole for a further period of fifteen days from today. This prayer is only to enable the petitioner to get his mother admitted in the hospital so that proper evaluation could be made with respect to her condition/stability for operation.

Considering the aforementioned aspect, this Court is inclined to extend the parole of the petitioner for a further period of fifteen days to be counted from today.

The petitioner would positively surrender before the Jail Authorities on or before the 15th day from today. If the petitioner does not surrender before the Jail Authorities on or before time so fixed, it would be taken as

recalcitrance on the part of the petitioner.

The conditions which were imposed on the petitioner for his release on parole shall continue for further fifteen days.

This Court is conscious of the fact that the petitioner has remained in jail for 20 years.

Applications stands disposed of.

Dasti under the signature of the Court Master.

ASHUTOSH KUMAR, J

JULY 13, 2015

Bisht