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

+ W.P.(CRL) 1310/2015

RAJESH

..... Petitioner

Through: Mr.Rajender Chhabra, Advocate.

versus

STATE

..... Respondent

Through: Mr.Rajesh Mahajan, ASC.
ASI Deviram, P.S.Nand Nagri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **26.08.2015**

The petitioner is aggrieved by the order dated 27.4.2015 passed by the competent authority whereby his prayer for being released on parole has been rejected.

The petitioner wants to come out of jail on parole for a specified period for getting his son admitted in a good school; making preparations for his daughter's board examinations; providing medical treatment to his ailing parents who are suffering from diabetes and other age related ailments and also for re-establishing social ties with family members and society.

The status report dated 7.7.2015 reveals that the daughter of the petitioner is studying in Class 9. The brother of the petitioner is also residing with his parents in the same house and he would be in a position to take care of the ailing parents of the petitioner. The status report further confirms the

fact that the petitioner has a six year old son who has not been admitted to the Kindergarten.

The prayer of the petitioner has been opposed on the ground that on an earlier occasion he had jumped the parole and was arrested only after about 2½ years. Learned counsel for the petitioner, in response to such an opposition submits that he has remained in custody for five years by now and after his jumping the bond and his re-arrest, he was again granted parole in the year 2014 for a period of four weeks by the order of this High Court.

With reference to the nominal roll he further submits that his overall conduct in jail has been satisfactory and no complaint has been received against him. The grant of parole and furlough are in the nature of ameliorating provisions for convicts against whom the doors of judiciary have been finally closed. It is in the nature of devising a measure whereby a convict, for some time in a year, comes out of the confines of the jail and breathes in free air and reconnects his social ties.

Considering the fact that the petitioner was released on parole a year before, this Court is inclined to release the petitioner on parole for a period of 30 days.

Let the petitioner be released on parole for 30 days from the date of his release on his furnishing a bond in the sum of Rs.10,000/- with one surety of like amount to the satisfaction of the Trial Court subject to the condition that immediately after his being released, he would furnish his mobile telephone number and the mobile telephone number of his surety to the SHO of the concerned police station. He shall, during the period of parole, would report to the concerned police station and would have his presence marked twice a week. The petitioner would not indulge in any

activity which may be called unlawful. The petitioner would inform the SHO of the concerned police station in the event of his going out of the territorial bounds of National capital region and the petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.

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.

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

Dasti.

ASHUTOSH KUMAR, J

AUGUST 26, 2015

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