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

+ W.P.(CRL) 1367/2015

HARJINDER SINGH @ JINDA Petitioner
Through: Mr.Dinesh Malik, Advocate.

versus

STATE Respondent
Through: Mr.Rajesh Mahajan, ASC.
SI Vijender Singh, STF/Crime Branch.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **10.07.2015**

The petitioner questions the order dated 8.5.2015 passed by the competent authority whereby the prayer of the petitioner for grant of parole on the ground of arranging admission for his four year old grand-daughter as also to reconnect social ties with family members and society has been rejected. The rejection is primarily on the ground of the petitioner being a habitual narcotics smuggler.

It has been submitted on behalf of the petitioner that he has remained in custody for 11 years and 8 months out of the total period of sentence of 12 years with a fine of Rs.2 lakhs and in default of payment of fine a further one year simple imprisonment. It has also been submitted that last time when he was granted parole was in the year 2014 and the term of parole expired on 1.5.2014.

The nominal roll of the petitioner discloses that his conduct in jail has been satisfactory.

Mr. Mahajan, learned Additional Standing Counsel files status report during the hearing of the application.

Let it be kept on record.

The status report discloses that the petitioner was involved in another case under NDPS Act. The other cases against him are under the various sections of Indian Penal Code, Excise Act and the Arms Act.

However, considering the fact that the petitioner has remained in jail for almost about 11½ years and his conduct has been satisfactory, this Court is inclined to release him on parole for strengthening the social ties as also for making arrangements for getting his grand-daughter admitted in a good school.

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.10,000/- with two sureties of like amount, one such surety shall be the wife of the petitioner 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) If the petitioner is required to go out of the territory of Delhi, he would intimate about his visit to the SHO of the concerned police station.
- d) He shall furnish his mobile telephone number and the mobile telephone number of both the sureties 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 application 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

JULY 10, 2015

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