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

+ W.P.(CRL) 1412/2015

MOHD. ANWAR Petitioner
Through: Mr.Jitendra Sethi, Advocate.

versus

STATE OF NCT OF DELHI Respondent
Through: Mr.Rahul Mehra, Standing Counsel
(Crl) with Ms.Kamni Vohra, ASC.
SI Mukesh Kumar, P.S.Sadar Bazar.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **04.08.2015**

The petitioner seeks release on parole in order to attend to his ailing wife who is to be operated on 6.8.2015.

It has been submitted that the wife of the petitioner namely Ms.Monika was suffering from excessive bleeding and the ultrasound report showed bulky uterus.

The petitioner submits that on earlier occasions also he has been released on parole and except for one occasion, he surrendered before the jail authorities on time. It has been submitted that the petitioner has remained in custody for more than 20 years.

The application preferred by the petitioner before the competent authority for release on parole on the above mentioned ground has not yet been decided.

Status report has been filed on behalf of the State which confirms that the wife of the petitioner is to be operated upon on 6.8.2015. There is a detailed report of Dr.R.N.Khetrapal in whose nursing home the wife of the petitioner is to be admitted on 5.8.2015 i.e. tomorrow.

Learned counsel for the State submits that there would be no requirement of the release of the petitioner on parole as he has three brothers and all of them live under the same roof. The wife of the petitioner could well be attended by his brothers.

A look at the nominal roll of the petitioner discloses that his conduct has not been very satisfactory and he has been punished on several occasions.

Be that as it may, considering the fact that the date of operation has already been fixed, let the petitioner be released on parole for a period of 30 days from the date of his release on the petitioner furnishing a bond in the sum of Rs.10,000/- with two sureties of 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 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. The petitioner would get his presence marked in the concerned police station twice a week.

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 04, 2015

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