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

+ W.P.(CRL) 1437/2015

ASHOK

..... Petitioner

Through: Mr.Imran Khan, Advocate.

versus

STATE

..... Respondent

Through: Mr.M.P.Singh, APP for
Ms.Nandita Rao, ASC.
SI Manjeet, P.S.Subhash Place.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

17.11.2015

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The petitioner raises a grievance against the order dated 15.06.2015 passed by the competent authority whereby his prayer for being released on parole for a specified period for the purposes of maintaining social and family ties, for being available at the time when the partitioning of the ancestral property takes place between the legal heirs as also for making arrangements for getting his daughter admitted in a professional course, has been rejected.

The rejection is primarily on the ground of adverse police report regarding apprehension of his jumping the parole.

Learned counsel for the petitioner, with reference to the nominal roll, submits that in the past, the petitioner has been released on interim bail on a number of times and on no occasion any untoward incident was reported

against him. It has also been submitted that the petitioner has remained in jail for more than 6½ years and his overall conduct in jail has been satisfactory.

The status report affirms the fact that the daughter of the petitioner is required to be admitted in a professional course and dispute exists with the brother of the petitioner with whom the petitioner has to share the ancestral property. The status report further takes note of the fact that the brother of the petitioner has been forcing the mother for partitioning the property.

Considering the long period of incarceration of the petitioner, and his satisfactory overall conduct in jail, this Court is inclined to release the petitioner on parole for a specified period.

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.5,000/- with one surety of the 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) 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 the surety 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 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

NOVEMBER 17, 2015

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