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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1504/2015
DEVENDER @ BITTU

..... Petitioner

Through: Mr.Tarun Khanna and Ms.Suahila
Lamba, Advs.

versus

STATE

..... Respondent

Through: Ms.Nandita Rao, ASC for the State
with Srilina Roy, Adv. with SI Tej ram, PS
Najafgarh

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

% **ORDER**
24.08.2015

The petitioner is aggrieved by order dated 15.6.2015 passed by the competent authority whereby his prayer for being released on parole for providing treatment to his ailing father, complete the construction of his house and re-establish social ties, has been refused. The adverse police report appears to have weighed with the competent authority.

It has been submitted on behalf of the petitioner that he has remained in jail for more than 9 years by now and his overall conduct in jail has been satisfactory.

With reference to nominal roll it has further been argued by the petitioner that on four occasions the petitioner was released on parole, the last one being from 3.3.2015 to 9.4.2015 and on all such occasions, the petitioner

surrendered before the jail authorities on or before the expiry of the parole period. The aforesaid furlough was granted to him by DG Police.

The status report affirms the residential address of the petitioner.

Considering the fact that the petitioner was earlier also released on parole and furlough and no untoward incident was reported and also the fact that his overall conduct in jail has been satisfactory, the ground taken by the competent authority for rejecting the prayer for being released on parole is not sustainable.

The petitioner is directed to 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 one surety 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) 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.

ASHUTOSH KUMAR, J

AUGUST 24, 2015

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