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

+ W.P.(CRL) 1671/2015

VISHNU KUMAR

..... Petitioner

Through: Mr.Biswajit Kumar Patra, Adv.

versus

STATE

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
(Cri) with Mr. Amrit Singh and Mr. Jamal Akhtar,
Adv. with SI Uma Datt, PS Mangol Puri

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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10.08.2015

The petitioner applied before the competent authority for being released on parole for attending to his widow mother, who is ailing, and also for getting his children admitted in a nearby government school.

Such a prayer of the petitioner was rejected by the competent authority vide order dated 10.7.2015. The reasons accorded for such a rejection is that his release might disturb the peace of neighbourhood of the area.

Learned counsel for the petitioner submits that such ground of rejection is absolutely not supported by any material. On several occasions in the past, petitioner was released on parole and furlough and there was never any complaint by either the persons from the neighbourhood of his residence or by the police authorities.

Mr. Mehra, Learned Standing Counsel submits the status report and apprises the Court that there has been verification about the residence of the petitioner.

Status report reveals that the petitioner's family consists of his mother, wife and three children. Though no medical papers of the illness of the mother of the petitioner was supplied, nonetheless the report reveals that she is suffering from some ailments.

The son of the petitioner has already been admitted in the government school and the daughter who has crossed the age of 14 years is yet to be admitted in a government school.

Nominal roll of the petitioner suggests that the conduct of the petitioner in the jail has been satisfactory.

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 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 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 10, 2015

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