

\$~21

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

+ W.P.(CRL) 1710/2015

DINESH KUMAR Petitioner
Through Mr.S.B.Dandapani, Adv.

versus

STATE Respondent
Through Mr.Avninder Singh, ASC.
SI G.N. Tiwari PS Kotwali.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **01.10.2015**

The petitioner has questioned the order dated 19.06.2015 passed by the competent authority whereby his prayer for being released on parole for re-establishing and maintaining social ties with the family and society and to combat inner stress has been refused.

The police has adversely reported about the petitioner. The address provided by the petitioner in the petition before the competent authority was also unverifiable.

Perhaps, these were the two grounds for the competent authority to reject the prayer of the petitioner for his being released on parole.

Learned counsel for the petitioner, with reference to the nominal roll, submits that he has remained a good inmate of jail for almost 14 years. He further submits that, in fact, he is eligible for remission and his case ought to be considered by the Sentence Reviewing Board.

It has been submitted that on earlier occasions also, the petitioner was released on parole and was also granted furlough a number of times, but on all such occasions, he surrendered before the jail authorities on time.

Mr.Avninder Singh, Additional Standing Counsel, on the other hand, submits that one of the co-accused Khadak Singh has jumped the parole and has not yet surrendered. The other accused persons are on bail.

Be that as it may, considering the special case of the petitioner, this Court is inclined to release the petitioner on bail for a specified period.

Considering the above facts, the petitioner is directed to be released on parole for a period of 30 days from the date of his release on his furnishing a bond in the sum of Rs.10,000/- with one surety, who would be a local person of Delhi, of like amount to the satisfaction of the Trial Court, subject to the following conditions:-

- e) The petitioner, on his release, would apprise the SHO of the concerned police station of his mobile telephone number and mobile telephone number of his surety so that in case of necessity he could be tracked and his whereabouts could be ascertained.
- f) The petitioner would also inform the SHO concerned of his programme for going to his village home. In case he visits his home town, he, on reaching there, shall inform about his arrival and the fact that he is on parole to the SHO of the concerned local police station in whose jurisdiction, his place of residence is located.
- g) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- h) The petitioner shall not engage himself in any unlawful activity.

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

OCTOBER 01, 2015

ab