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

+ W.P.(CRL) 1736/2015

SONU @ RANJHA

..... Petitioner

Through: Ms.Rakhi Dubey, Advocate.

versus

STATE

..... Respondent

Through: Mr.Sanjay Lao, ASC.
SI Ganpati Maharaj, P.S.Timarpur.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

09.12.2015

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The petitioner challenges the order 10.07.2015 passed by the competent authority whereby his prayer for being released on parole on the ground of ill health of his mother and for reconnecting social ties with family and society has been rejected. The competent authority rejected such prayer on the ground that there exists threat to the life of the convict in case of his release.

With reference to the status report, Mr.Sanjay Lao, Additional Standing Counsel submits that the place of residence of the petitioner has been found. During enquiry, it has been found that the petitioner has a wife and children. The mother of the petitioner is suffering from Hemiplegia and is completely vegetative. However, Mr.Lao has submitted that there are many cases to the credit of the petitioner. The list of cases which has been

provided in the status report does not mention about the status of such cases.

The nominal roll qua the petitioner, however, discloses that for two of the offences, one of the year 1999 and the other of the year 2000, the petitioner has already undergone the sentences which were imposed upon him. In the absence of status of the other cases which have been listed in the status report, no positive opinion could be made whether such cases are still pending adjudication.

Learned counsel for the petitioner, on the other hand, has informed that till date, the petitioner has remained in custody for about five years and his overall conduct in jail has been satisfactory.

Considering the aforementioned aspects, namely the ill health of the mother of the petitioner and the long period of incarceration which has necessitated, in order to combat inner stress, the release of the petitioner on parole for a specified period, this Court is inclined to accept the prayer of the petitioner.

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 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 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.

Dasti.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

ASHUTOSH KUMAR, J

DECEMBER 09, 2015

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