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

+ W.P.(CRL) 1782/2015

VEDPAL

..... Petitioner

Through Mr.Puneet Singhal, Adv. for
DHCLSC

versus

STATE

..... Respondent

Through Ms.Kamna Vohra, Adv.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **11.12.2015**

The prayer of the petitioner for being released on parole in order to prefer SLP before the Hon'ble Supreme Court of India and to reconnect social ties has been rejected by the competent authority by order dated 03.08.2015. The petitioner does not bear a clean antecedent. Possibly the tainted antecedent of the petitioner and the adverse police report regarding negative impact on law and order in case of his release on parole weighed heavily with the competent authority in rejecting his prayer.

Learned counsel for the petitioner submits that on date, the petitioner has remained in jail for more than 5 ½ years and his overall conduct in jail has been satisfactory. The petitioner was punished for a jail offence on 14.04.2014 but thereafter he has behaved well inside the jail.

The nominal roll of the petitioner clearly specifies that the performance of the petitioner has been satisfactory and he has worked as

Plumber Panja Sahayak in the jail. The petitioner was released on interim bail from 12.10.2012 to 25.10.2012.

Apart from one punishment which was inflicted upon him, he has not been accused of any jail offence thereafter.

The status report takes note of six cases in which the petitioner was found to be involved. In two of the cases which are for offences under Sections 379/411/34 of the IPC and 395/398/365/186/353/307 of the IPC read with provisions of Arms Act respectively, the petitioner has been convicted. With respect to the other four cases, it is submitted that the petitioner has either been acquitted, discharged or a settlement has been arrived at with the complainant.

The petitioner is required to pursue his legal remedies which is available to any citizen, including a convict.

Considering the aforesaid facts, the petitioner is directed to be released on parole for a period of 30 days to be counted from the date of his release on his furnishing a bond in the sum of Rs.10,000/- 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) The petitioner would not leave, under any circumstance, the National Capital Territory of Delhi.
- 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 coercive steps for securing his attendance.

With these observations, the petition is disposed of.

Dasti.

Order be communicated to the petitioner through Jail Superintendent.

ASHUTOSH KUMAR, J

DECEMBER 11, 2015

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