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

+ W.P.(CRL) 1993/2015

MIRAJ @ MEHRAJ

..... Petitioner

Through

Mr.Naomi Chandra, Adv.

versus

STATE

..... Respondent

Through

Ms.Richa Kapoor, ASC with
Mr.Ashish Negi & Mr.Rohit Kaul,
Adv.

ASI Hari Om PS Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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14.10.2015

The petitioner is aggrieved by the order dated 19.08.2015 passed by the competent authority whereby his prayer for being released on parole for attending the first death anniversary of his mother which fell on 10.09.2015 and for re-establishing social ties with the family members and society was rejected.

The prayer was rejected primarily on the ground that the conduct of the petitioner has not been uniformly good and he was punished in the year 2006 for some breach of jail rules. Adverse police report also formed part of the decision making process of the competent authority.

Learned counsel for the petitioner submits that though the petitioner could not attend the first death anniversary of his mother despite his being the eldest member of the family but he requires to reconnect social ties.

With reference to the nominal roll, learned counsel for the petitioner has submitted that after the punishment in the year 2006, the petitioner was released on furlough and parole for a number of times till 2014 and on no occasion, any untoward incident was reported while the petitioner was out on parole or furlough.

The status report affirms the fact that the first death anniversary of the mother of the petitioner fell on 10.09.2015. Status report also indicates that the petitioner is a person of home and hearth and there are other family members who are staying in Delhi.

The conduct of the petitioner in jail is stated to be satisfactory and he has been allotted worked in jail factory.

Considering the aforementioned facts, the petitioner is directed to be released on parole for a period of 30 days from the day of his release on his furnishing a bond in the sum of Rs.5,000/- 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) 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.

Dasti.

ASHUTOSH KUMAR, J

OCTOBER 14, 2015

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