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

+ W.P.(CRL) 2156/2015

MAHESH @ KALA

..... Petitioner

Through: Mr.Aditya Vikram, Advocate.

versus

STATE

..... Respondent

Through: Mr.R.S.Kundu, ASC with Mr.Vishesh
Wadhwa, Advocate.

SI Mohd.Haroon, P.S.Tilak Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

10.12.2015

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The prayer of the petitioner for being released on parole for attending to his old and ailing mother and for establishing social ties has been rejected.

The aforesaid rejection is on the ground of an adverse police report regarding apprehension of his jumping the parole.

Learned counsel for the petitioner on the other hand submits that on several occasions in the past the petitioner had been released on furlough and parole and on no occasion when he was let out from jail, anything adverse was reported against him. He further submits that out of the sentence awarded on him he has remained in jail for more than 12½ years and his overall conduct in jail has been satisfactory.

Mr.R.S.Kundu, Additional Standing Counsel submits that there is no dispute with regard to the deteriorating health of the mother of the petitioner, nonetheless she has other sons to look after her. Learned counsel for the

petitioner submits that that may not be a good ground for rejecting his prayer for parole. The petitioner also has a responsibility towards his mother. The petitioner also requires to come out of jail for reconnecting social ties.

Considering the conduct of the petitioner and his long incarceration, this Court is inclined to release the petitioner on parole for a specified period.

The petitioner shall 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.5,000/- 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 10, 2015

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