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

+ W.P.(CRL) 2218/2015

RIYAZUDDIN

..... Petitioner

Through

Mr.Bharat Sharma, Adv. with
Mr.Akshay Bhatia, Adv.

versus

STATE

..... Respondent

Through

Mr.Avi Singh, ASC with Ms.Megha
Bahl & Mr.Shiren Varma, Adv.
SI Amit Sharma PS Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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07.12.2015

The petitioner has put up a challenge to the order dated 15.09.2015 passed by the competent authority whereby the prayer made by the petitioner for being released on parole for the purposes of managing funds for the treatment of his mother who is suffering from paralysis as also for reconnecting social ties with his family and society has been rejected.

The competent authority rejected such prayer of the petitioner after taking into account the adverse police report which expressed apprehension that his release on parole could adversely impact the law and order and security of the area.

Status report affirms the address of the petitioner.

The nominal roll qua the petitioner further reveals that overall conduct of the petitioner in the jail has been satisfactory and he has not been

punished for any jail offence.

It is submitted on behalf of the petitioner that the apprehension of the police is illusory and is not based on any credible information. On earlier occasions also, the petitioner had come out of the jail on interim bail and parole, and on no such occasion, anything adverse was reported against him.

The petitioner has remained in jail for about 2 years 8 months by now.

Considering the aforesaid facts, this Court is inclined to release the petitioner on parole.

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.5,000/- with one surety of the like amount to the satisfaction of the Superintendent of Jail, 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 07, 2015
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