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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2281/2015**
RAJ KUMAR

..... Petitioner

Through: Mr.Sumeet Verma & Mr. Amit Kala,
Advts.

versus

STATE

..... Respondent

Through: Mr.Rajesh Mahajan, ASC with
Ms.Parul Jamwal, Adv. for the State

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **08.12.2015**

Crl. M.A.17958/2015

The present application has been filed seeking modification of the order dated 12.10.2015 whereby the petitioner was directed to be released on parole on his furnishing a bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Trial Court. The order contains other conditions also namely furnishing of his mobile telephone number and surrendering before the jail authorities in time.

It has been submitted on behalf of the petitioner that because of the poverty and his long incarceration in jail, none of his relatives, who are permanently residing at Bijnaur in the State of U.P., are in a position to stand as surety for him. In such circumstances, the petitioner has preferred this application for modification of the order to the extent that he be released

on parole for submitting cash security in lieu of surety bond.

Learned counsel for the State has opposed such prayer on the ground that the petitioner is a convict under Section 302 of the IPC and there are chances of his absconding from the process of law.

However, considering the fact that the petitioner has remained in jail for about 10 years and nothing adverse against him has been reported as also taking into account the affirmation of the fact that the petitioner has relatives in Bijnaur who are residing there for quite some time, 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 his furnishing a cash security of Rs.10,000/- to the satisfaction of the Jail Superintendent.

The other terms and conditions shall subsist. Apart from the other conditions, which have been enumerated in the order dated 12.10.2015, the petitioner would also be required to inform the local Police Station at Bijnaur on his arrival at Bijnaur of his having been released on parole for a specified period. He shall be visiting the concerned Police Station at Bijnaur along with one of his close relatives every alternate day as long as he stays at Bijnaur.

The petitioner shall also furnish the contact number of his relatives staying at Bijnaur to the SHO of Kalyan Puri Police Station, New Delhi, who could get in touch with the concerned Police Station at Bijnaur and apprise such Police Station of the present order.

All these conditions have been stated only to ensure that the petitioner surrenders before the jail authorities on or before the expiry of period of parole.

The order dated 12.10.2015 stands modified to the extent indicated above.

Application stands disposed of.

ASHUTOSH KUMAR, J

DECEMBER 08, 2015
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