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

+ W.P.(CRL) 2371/2015

SIDHARTH BANSAL

..... Petitioner

Through: Mr.Sunil Upadhyay, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr.Rajesh Mahajan, ASC.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **02.11.2015**

The petitioner was released on parole by the order of this Court dated 27.08.2015 in Writ Petition No.1442/2015. The aforesaid concession was granted to the petitioner on the ground that he was the only son of his parents and had to look after his old and ailing parents. The petitioner, pursuant to the aforesaid order, was released from jail on 29.08.2015.

The family property viz. the house at Ashok Vihar was sold. A house was required to be purchased by the petitioner out of the sale proceeds of the house at Ashok Vihar for providing shelter to his parents and a sister who has been suffering from autism for a long time. The ancestral house which is said to have been sold by the petitioner and other stake holders was required to be vacated by 30.10.2015. Since there was no sufficient time for the petitioner to arrange for purchasing of a new house, a prayer was made for extension of the period of parole vide Crl. M.A No.14136/2015. The

aforesaid miscellaneous application was permitted to be withdrawn by this Court with a direction to the petitioner to surrender and move an appropriate application before the competent authority.

Pursuant to the aforesaid order permitting the petitioner to withdraw his application for extension of parole, the petitioner surrendered on 29.09.2015. Thereafter a fresh application was made before the competent authority, explaining the urgency, for grant of parole.

Mr.Rajesh Mahajan, Additional Standing Counsel submits that barely two days after the filing of such petition, the present writ petition has been filed and, therefore, the competent authority could not dispose of or act upon the prayer of the petitioner for grant of parole.

Learned counsel for the petitioner has, however, submitted that out of the seven years of sentence which the petitioner is required to undergo, he has already remained in jail for major part i.e. for about 4½ years by now. The overall conduct of the petitioner in jail has been satisfactory.

Considering the fact that the petitioner has shown good conduct in jail and that a house is required to be purchased for providing shelter to his old and ailing parents and a sister who is not in good health, this Court is inclined to release the petitioner on parole for a period of 30 days from the day of his release.

The petitioner be released on parole for a period of 30 days from the date of his release on 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 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.

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

NOVEMBER 02, 2015

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