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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2609/2015
VIJENDER KUMAR @ VIJAY

..... Petitioner

Through: Mr.Harsh Prabhakar, Adv.
(DHCLSC)

versus

STATE

..... Respondent

Through: Mr. Raghuvinder Varma, APP for
Ms. Nandita Rao, ASC for the State
SI Yograj Dalal, PS Moti Nagar

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

% **ORDER**
17.11.2015

The petitioner questions the order dated 10.8.2015 whereby his prayer for being released on parole for reconnecting social ties and providing help and succour to his old and ailing parents, has been rejected. The rejection primarily is on the ground of adverse police report namely apprehension of breach of law and order in case of his release.

Learned counsel for the petitioner, with reference to the nominal roll, states that the petitioner has remained in jail for about 11 years and 10 months and his overall conduct in jail has been satisfactory. The petitioner had earlier been convicted in a case and was sentenced for rigorous imprisonment for 7 years, which sentence he has already undergone.

It has also been submitted that on earlier occasions, the petitioner was granted parole and furlough and on no occasion when he was let out from

jail, any adverse report was submitted against him.

The status report affirms the fact that the parents of the petitioner are suffering from age related diseases and his mother is regularly being treated in RML and Sardar Bhallav Bhai Patel Hospitals. The medical papers of the parents of the petitioner are enclosed with the petition. An inquiry from the neighbourhood of the house of the petitioner also confirmed the fact that the mother of the petitioner has been ailing for a very long time.

Considering the illness of the parents and satisfactory conduct of the petitioner in jail as also his long period of incarceration, this Court is inclined to release the petitioner on parole for a specified period.

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 like amount, to the satisfaction of the Trial Court, subject to the following conditions:-

- e) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- f) The petitioner shall not engage himself in any unlawful activity.
- g) 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.
- h) 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

NOVEMBER 17, 2015

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