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

+ W.P.(CRL) 2788/2015

SUDHAKAR SINGH

..... Petitioner

Through: Ms. Aishwarya Rao, Adv.

versus

STATE

..... Respondent

Through: Mr.Rajesh Mahajan, ASC with
Ms.Parul Jamwal, Adv. for the State.
SI Babu Lal, P.S. R.K. Puram

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **02.12.2015**

The petitioner is aggrieved by the order dated 2.11.2015 passed by the competent authority whereby his prayer for being released on parole for taking care of his wife and arranging for funds for treatment of his wife and studies of his son has been rejected.

The rejection is primarily on the ground that six months have not elapsed since the date of last parole availed by the petitioner as well as adverse police report.

Learned counsel for the petitioner, with reference to the nominal roll, however, submits that the overall conduct of the petitioner in jail has been satisfactory and nothing adverse has been reported against him regarding his involvement in any illegal or anti social activities.

Status report by the learned counsel for the State has been filed during the course of hearing of this case.

Let it be kept on record.

The status report reveals that both, the wife and the son of the petitioner are living under favourable conditions and both are working. The wife is not suffering from any serious illness and she could be treated with medicines in ordinary course. The further objection of the State is with respect to the family staying in a rented accommodation with the possibility of their changing their address.

Learned counsel for the petitioner in response to the status report submits that there is no reason why the rented accommodation would be changed by the family of the petitioner.

Considering the fact that the overall conduct of the petitioner in the jail has been satisfactory and that he has remained in jail for about three years, 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.10,000/- with two sureties of the 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 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.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

ASHUTOSH KUMAR, J

DECEMBER 02, 2015

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