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

+ **W.P.(CRL) 2732/2015**

BIJENDER @ VIJAY FAUJI

..... Petitioner

Through: Mr. Ajayinder Sangwan, Mr. Tarunesh Kumar, Ms. Rishina Parashar, Mr. Narendra Singh, Mr. Rohan Sharma & Mr. Irfan Firdaus, Advs.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms. Kamna Vohra, ASC.
SI Ajay, P.S. Samaypur Badli

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **03.12.2015**

The petitioner has applied for being released on parole for the purposes of attending the marriage ceremony of his niece which is to be held on 7.12.2015.

The application for grant of parole was forwarded through the jail authorities to the competent authority but till date no order has been passed.

Status report has been filed by Ms. Kamna Vohra, Additional Standing Counsel during the course of hearing.

The fact of the niece of the petitioner getting married on 7.12.2015 has been affirmed. From local enquiry it was also revealed that the two other nieces of the petitioner are also getting married on the same day. However, the status report shows the existence of other family members

who could perform the rituals of the marriage. The petitioner has expressed his desire to be present at the time of marriage of his nieces. This is for the purposes of blessing his nieces and also to reconnect social ties as he has remained behind bars for a very long time.

It has been submitted that the petitioner has been sentenced for rigorous imprisonment for a period of 10 years and out of the said period, he has already served for more than 8 years. Nominal roll of the petitioner discloses that his overall conduct in jail has been satisfactory and when the petitioner was granted parole and furlough earlier, no adverse report came forthcoming during the period the petitioner was out from the jail.

Considering the aforesaid facts, this Court is inclined to release the petitioner on parole for a period of 15 days from the date of his release.

Let the petitioner be released on parole for a period of 15 days to be counted from the date of his release on his furnishing bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned 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 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

DECEMBER 03, 2015

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