

\$~15

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

+ W.P.(CRL) 2690/2015

PRADEEP KHATRI

..... Petitioner

Through: Mr.Shiv Chopra, Advocate.

versus

STATE OF NCT DELHI & ANR

..... Respondents

Through: Mr.Jamal Akhtar, Advocate.

ASI Prem Chand, P.S.Ali Pur.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

%

22.12.2015

The petitioner was released on parole for three weeks by order dated 15.09.2015 by the competent authority on the ground of ill health of the petitioner. The petitioner is suffering from back problem. Since he could not regain his health and was advised to undergo surgery, a prayer for extension of parole was made before the competent authority. The aforesaid prayer was rejected. The competent authority was of the view that in one go, a convict could not be allowed to remain on parole for more than a month except under special circumstances. The period of parole was thereafter extended by this Court. The petitioner is suffering from lower back problem and is on regular medicines. The doctors have advised him for conservative treatment which is rest and intake of anti inflammatory and analgesics.

In case the petitioner does not respond to the conservative treatment, the treating doctor could explore the feasibility of microdissection. No

specific date or plan has been charted by the treating physician.

What this Court gathers from the medical papers is that the petitioner has still not regained his health and is in pain. However, such reasons cannot be accepted for keeping him out of jail on parole for any longer period than what is permissible.

Considering the aforesaid facts, the earlier parole granted to the petitioner is finally extended for a further period of three weeks to be counted from today. The petitioner is directed to surrender before the jail authorities positively on or before the expiry of three weeks to be counted from today. The earlier conditions imposed on the petitioner shall remain the same.

The petition is disposed of.

A copy of this order be given dasti under the signature of the Court Master.

ASHUTOSH KUMAR, J

DECEMBER 22, 2015

k