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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2978/2015
MOHD. NASEEM

..... Petitioner

Through: Mr.O.P. Saxena, Adv.

versus

STATE

..... Respondent

Through: Ms. Nandita Rao, ASC for the State
with Ms. Srilina Roy, Adv.
ASI Devender Singh, PS New Friends
Colony

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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16.12.2015

The petitioner challenges the order dated 16.11.2015 passed by the competent authority whereby his prayer for being released on parole for arranging a private lawyer for filing SLP before the Hon'ble Supreme Court of India as also to reconnect social ties has been rejected. The rejection, as has been submitted by the learned counsel for the petitioner, is premised on wrong reason. The competent authority has perhaps wrongly been informed that the petitioner has not remained in jail for minimum of one year to earn any such concession. The fact remains that the petitioner has remained in jail for more than seven and a half years.

The other ground for rejecting the prayer of the petitioner is adverse police report.

Learned counsel for the petitioner, with reference to the nominal roll

has submitted that the overall conduct of the petitioner in jail has been satisfactory. He further submits that there is no credible information regarding the fact that his release will cause adverse impact on the law and order.

The status report affirms the address of the petitioner. The parents and wife of the petitioner are living together.

Considering the aforesaid facts namely the period of custody of the petitioner and his ones all good conduct in jail, this Court is inclined to release the petitioner on parole for a period of 30 days to be counted from the date of his release for the purposes of reconnecting social ties and also for preferring SLP before the Hon'ble Supreme Court of India.

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 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 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 16, 2015

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