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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2943/2015**
SATYAVIR SINGH RATHI

..... Petitioner

Through: Mr. Suraj Rathi, Adv.

versus

THE STATE & ORS

..... Respondent

Through: Ms. Srilina Roy, Adv. for Ms.Nandita
Rao, ASC for the State
SI Badri Prasad, P.S. Cannaught
Place
Mr. Sanjeev Bhandari, SPP for the
CBI/R-2

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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17.12.2015

The petitioner had applied for grant of parole for maintaining social ties with his family, combating inner stress and also for preparing for his examinations and for submission of his Master's thesis in the university from where he is pursuing the Master's course.

The aforesaid prayer of the petitioner was rejected by the competent authority vide order dated 10.12.2015 on the ground that he is a convict of multiple murders and that minimum of six months jail from the date of termination of the previous parole have not elapsed.

The petitioner was earlier granted parole for two days by the order of the Delhi High Court.

Learned counsel for the petitioner submits that the examination is to commence from 24.12.2015 and the last paper is on 30.12.2015. It is submitted that the petitioner would also require some time to consult library and to prepare for his Master's examinations.

Though the learned counsels appearing for CBI and State, taking into account the fact that the examination is scheduled for 24.12.2015 to 30.12.2015, have suggested that the petitioner be permitted to be taken to examination centre from jail. It is stated that for the entire period of custody the petitioner, has been released on parole for not less than 29 times. However, the status report reveals that the documents namely admit card, roll number, exam schedule etc., on verification, were found to be genuine.

An enquiry was also made from the office of the Vice Chancellor of the Global Open University, Dimapur, Nagaland and it was affirmed that the examination of M.A. IInd Year is scheduled to be held from 24.12.2015 to 30.12.2015.

Considering the aforesaid facts as also taking into account his overall conduct in jail to be satisfactory, this Court is inclined to release the petitioner on parole for the purposes of taking his examination of M.A. IInd Year.

The petitioner is directed to 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 two sureties of the like amount to the satisfaction of the Trial Court, 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 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.

The petitioner shall positively surrender before the jail authorities on the expiry of the period of parole.

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 17, 2015

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