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

+ W.P.(CRL) 3058/2015

HEM SINGH @ HEMU

..... Petitioner

Through: Ms.Neha Kapoor, Advocate.

versus

STATE OF NCR OF DELHI

..... Respondent

Through: Ms.Sumit Anand, Advocate.

SI Mahesh Singh, P.S.Pandav Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **23.12.2015**

Crl.M.A No.18767/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

W.P.(CRL) 3058/2015

During the pendency of the present writ petition the competent authority passed an order rejecting the prayer for releasing the petitioner on parole. The aforesaid order has been filed by the counsel for the petitioner. Let that be taken on record.

From the medical papers, it appears that the petitioner is suffering from knee problem and is required to be operated for the same. The date of operation has been fixed for 31.12.2015. For the aforesaid purpose, the petitioner is required to be admitted in hospital on 30.12.2015. It is further

submitted that the petitioner has remained in jail for about 16 years and his overall conduct in jail has been satisfactory.

From the perusal of the rejection order of the competent authority, it appears that the petitioner was released on parole for 30 days and was out of jail till 30.08.2015.

Learned counsel appearing for the State informed this Court that the case of the petitioner has been recommended to the Sentence Remission Board and the Sentence Remission Board is likely to have a sitting on 29.12.2015. If the petitioner's case is to be considered by the Sentence Remission Board, he would be required to be present on that day in jail.

In any view of the matter, learned counsel for the petitioner insists that it would be difficult for the petitioner to get another date for surgery of his knee.

Considering the aforesaid fact and the submission offered on behalf of the petitioner, this Court directs the release of the petitioner on parole for 20 days, to be counted from the date of his release on his furnishing a bond in the sum of Rs.5000/- 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 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 dasti under the signature of the Court Master.

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

ASHUTOSH KUMAR, J

DECEMBER 23, 2015

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