

#23

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 06.01.2016

W.P.(CRL) 13/2016

AFROZ

..... Petitioner

Through: Mr. Azhar Qayum, Advocate

versus

STATE (G.N.C.T. OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, ASC (Criminal) with
SI Mirtuja Khan, PS- Preet Vihar

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A.180/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 13/2016

1. The present is a petition under Article 226 of the Constitution of India praying for a direction to the official respondent to release the petitioner on parole in order to enable him to perform the last rites of his late father who is stated to have passed away on 31.12.2015.

2. Notice.

3. Mr. Lao, learned Additional Standing Counsel (Criminal) accepts notice on behalf of the official respondent and submits that although the petitioner did not approach the competent authority in this behalf in the first instance, in view of the circumstance that the petitioner's father has passed away, the State would not oppose this petition.

4. In view of the foregoing, in the interest of justice and on humanitarian ground, the present petition is allowed. The petitioner shall be enlarged on parole for a further period of four weeks from the date of his release on the same terms and conditions as imposed by the competent authority by way of order dated 21.12.2015.

5. The writ petition is disposed of accordingly.

6. A copy of this order be given *dasti* under the signature of Court Master to counsel for the parties. A copy of this order be sent to the Superintendent, Central Jail, Tihar for necessary information and compliance.

SIDDHARTH MRIDUL, J

JANUARY 06, 2016

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