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

+ W.P.(CRL) 102/2016

SAURABH KUMAR

..... Petitioner

Through: Mr. Anwesh Madhukar, Advocate

versus

STATE

..... Respondent

Through: Mr. Jamal Akhtar, Advocate for Mr.
Rahul Mehra, Standing Counsel
(Criminal)

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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18.01.2016

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 attend to his wife who is in advance stage of pregnancy and expected to deliver a child anytime now.

It is an admitted position that the earlier child delivered by the wife of the petitioner had died after his birth. The only objection raised on behalf of the official respondent relates to the circumstance that the petitioner surrendered late on the last occasion when he was released on parole by this Court.

In view of the foregoing, it is considered just, necessary and expedient on humanitarian ground to allow the present petition. The petitioner shall be released on parole for a period of four weeks from the date of his release subject to his furnishing a personal bond in the sum of Rs.5,000/- (Rupees Five

Thousand) with one surety of the like amount to the satisfaction of the Jail Superintendent, Tihar subject to the following conditions:-

- (i) During the period the petitioner remains out on parole, he shall report to the SHO, Police Station- Bhalaswa Dairy, Delhi, once a week on every Friday.
- (ii) The petitioner shall also provide the SHO, Police Station- Bhalaswa Dairy, Delhi with his mobile telephone number which he undertakes to keep operational.
- (iii) The petitioner shall not leave the National Capital Territory of Delhi during the period of parole, without the prior permission of this Court.
- (iv) The petitioner is directed to surrender before the jail authorities at the expiry of the period of parole.

The writ petition is disposed of accordingly.

A copy of this order be sent to the Jail Superintendent, Tihar for necessary compliance and communication of the same to the petitioner.

SIDDHARTH MRIDUL, J

JANUARY 18, 2016
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