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

+ W.P.(CRL) 164/2016

DEEPAK KUMAR @ DEEPU YADAV

@ BHUPENDER KUMAR

..... Petitioner

Represented by: Ms. Divya, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Avi Singh, ASC with Ms.
Sumi Anand, Adv. and SI N.L.
Yadav, PS Khyala.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.07.2016

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The petitioner is aggrieved by the order dated 28th December, 2015 of the competent authority rejecting his application for parole on the ground that he has to file SLP and to re-establish ties.

Learned Additional Standing Counsel has taken me through the status report and nominal roll of the petitioner. As per the nominal roll, the petitioner has been convicted for offence punishable inter-alia under Sections 302/376 IPC and awarded imprisonment for life wherein he has to undergo 25 years actual imprisonment whereafter remission will be considered. The petitioner has given address of B-94, JJ Colony, Khyala, Delhi however the petitioner was residing there as a tenant at the time of incident. After he was arrested, no family member was residing at the said address and thus the same cannot be said to be his permanent address. On

inquiry, it is found that the family of the petitioner is residing in Ghaziabad, UP however they are not willing to stand surety of the petitioner.

Considering the circumstances of the case and fact that there is likelihood of the petitioner jumping the parole as there is no family member who wishes to stand surety for him besides there is apprehension of threat to the witness as reflected in the status report, I find no illegality in the impugned order.

Petition is dismissed.

Order be communicated to the petitioner through Superintendent, Tihar Jail.

MUKTA GUPTA, J.

JULY 15, 2016
‘v mittal’