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

Date of decision: 12.02.2016

+ W.P.(CRL) 202/2016

MUKESH VERMA @ TITU

..... Petitioner

Through: Mr. Neeraj Bhardwaj, Advocate

versus

STATE

..... Respondent

**Through: Ms. Richa Kapoor, ASC (Criminal)
with Mr. Ashish Negi, Advocate with**

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) praying for a direction to the official respondent to release the petitioner on parole in order to enable him to organize, finance and attend the marriage of his daughter- Priyanka, which is scheduled to be solemnized on 22nd February, 2016.

2. The petitioner is aggrieved by the order dated 6th November, 2015 whereby his application for grant of parole on the above-stated grounds was rejected by the competent authority for the following reasons:-

“rejected in the absence of requisite police verification report regarding verification of address and grounds taken by convict from concerned police authorities i.e. SSP, District Mujaffar Nagrar, U.P., SO PS- Khatauli, U.P., DCP/North East Distt., Delhi and SHO/Dilshad Garden/Seelampur, Delhi, which could not be obtained despite several requests.

Further, the convict has last availed 01 month parole upto 16.01.2015 by GNCTD and thereafter, he has availed 05 weeks furlough during the year 2015 including recently availed 02 weeks furlough upto 16.09.2015 by the order of DG (P).”

3. The petitioner cannot be visited with the consequences of the lethargy of the official respondents. The official respondents ought to have been more sensitive to the circumstance that the petitioner needs to organize, finance and attend the marriage of his daughter- Priyanka, who is of marriageable age, particularly when he has been released on parole and furlough earlier and is not stated to have misused the liberty granted to him.

4. A status report has been filed on behalf of the official respondents. The same is taken on record.

5. A perusal of the status report confirms the factum of marriage of petitioner's daughter- Priyanka, which is scheduled to be solemnized on 22nd February, 2016 at Khatauli, District Muzaffarnagar, U.P.

6. In the present case, it is observed that the petitioner has already undergone incarceration for a period of over thirteen years out of the total sentence of life imprisonment awarded to him and his conduct in the jail since the inception of his incarceration has been satisfactory.

7. In view of the foregoing, it is considered just necessary and expedient to allow the present writ petition.

8. Consequently, the petitioner is enlarged on parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.50,000/- with two sureties of the like amount to the satisfaction of the Jail Superintendent subject to the following conditions:-

- (i) During the period the petitioner remains out on parole, he shall report to the SHO, Police Station- Village Khatauli, Distt. Muzaffar Nagar, U.P. once a week on every Tuesday.
- (ii) The petitioner shall also provide the SHO, Police Station- Village Khatauli, Distt. Muzaffar Nagar, U.P., with his mobile telephone number which he undertakes to keep operational.

- (iii) He shall not leave the jurisdiction of the concerned Police Station in Muzaffar Nagar, U.P. without the prior permission of this Court except to surrender before the jail authorities.
- (iv) Lastly, the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

9. With the above directions, the writ petition is allowed and disposed of accordingly.

10. A copy of this order be sent to the Jail Superintendent for necessary information and compliance.

11. A copy of this order be given *dasti* under signature of the Court Master to counsel for the parties.

SIDDHARTH MRIDUL, J

FEBRUARY 12, 2016

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