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

+ W.P.(CRL) 322/2016

MD. ARIF

..... Petitioner

Through: Ms.Dolly Sharma and Mr.S.K.Sethi,
Advocates.

versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan, A.S.C. for the
State with SI Chhattar Singh, PS
Subhash Place.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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11.02.2016

1. The present petition has been filed by the petitioner from jail seeking parole for a period of one month on the ground of re-connecting social ties with his family and society.
2. Status report has already been filed by the State verifying the address of the petitioner to be correct.
3. Learned counsel for the Petitioner further submits that as per Parole/Furlough Guidelines 2010, one of the objectives of framing the said guidelines was 'to protect social ties'. Learned counsel for the petitioner prays for grant of parole to the Petitioner to enable him to reconnect social ties with his family and society.
4. Learned ASC for the State submits that as per the nominal roll, the
W.P.(CRL) 322/2016

petitioner is also involved in case bearing FIR No.15/2009 under Sections 457/380/411/34 IPC, PS Subhash Place and the prayer of the petitioner may be considered keeping in view the Parole/Furlough Guidelines 2010 and subject to certain conditions deemed fit by this Court.

5. As per nominal roll, the jail conduct of the petitioner during last one year is mentioned as 'Satisfactory'. In column No.18 i.e. details of pending cases, if any, it is mentioned that case FIR No.15/2009 under Sections 457/380/411/34 IPC, PS Subhash Place is also pending against the petitioner.

6. Considering the facts and circumstance of the case, the prayer for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of four weeks from the date of his release, on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:-

- (i) During the period of parole, the Petitioner shall report to the Duty Officer, P.S. Saraswati Vihar, Delhi on every Monday at 10 AM.
- (ii) The Petitioner shall keep the SHO, P.S. Saraswati Vihar, Delhi informed about his place of residence in Delhi and his contact numbers i.e. mobile, landline or both. It would be open to the concerned SHO to verify the address and the contact numbers and to seek cancellation of parole in case it is found to be incorrect.
- (iii) During the period of parole, the Petitioner shall remain in Delhi and he shall not cross the border or not try to contact the witnesses in any manner whatsoever.

(iv) While submitting the bail bond, he will furnish to the Jail Superintendent the address of the place where he would reside in Delhi during the period of parole as well as the contact numbers.

7. It is, however, made clear that on expiry of the parole period, the Petitioner shall surrender before the concerned Jail Superintendent, who shall submit the surrender report to this Court.

8. **It is clarified that the Petitioner shall avail the benefit of parole granted herein above in case FIR No.36/2011 under Sections 395/397 IPC, PS Saraswati Vihar, only if he is on bail in other cases or is otherwise eligible to be released.**

9. Writ Petition stands allowed in the above terms.

10. The Petitioner be informed through the Jail Superintendent about the order passed.

Order *dasti*.

PRATIBHA RANI, J.

FEBRUARY 11, 2016

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