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

+ **W.P.(CRL) 423/2016**

VINOD

..... Petitioner

Through: Mr. Ajay Verma, Adv.

versus

STATE

..... Respondent

Through: Mr. Ashish Aggarwal, ASC with
Mr. Deepak Bansal, Adv.
SI Om Parkash, PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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15.02.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 praying for a direction to the respondent to release petitioner on parole in order to enable him to make necessary arrangements and to participate in the marriage of his younger sister namely Priya scheduled to be solemnized on 24th February, 2016.

It has been asserted on behalf of the petitioner that the latter had filed a representation with the GNCTD (Home Department) Office on 04.01.2016 from the Jail vide dispatch number F.4/SCJ-4/AS(CT)/2016/07, however, no response has been forthcoming till date in that behalf.

A status report has been filed on behalf of SHO Police Station-Badarpur, New Delhi verifying the factum of the marriage of the petitioner's sister. A perusal of the status report further reveals that the father of the siblings passed away as far back as in the year 1996 and that the marriage is to be solemnized at T-85, B B Camp, Sarai Kale Khan which is the rental accommodation of the parental uncle of the siblings. It would also not be out of place to mention that the entire outlay of expenditure for the marriage of the petitioner's sister is being borne by the family as a whole including the petitioner herein.

The only caveat that has been entered to oppose the present petition is the circumstance that the petitioner has already availed furlough till 03rd December, 2015.

A perusal of the nominal roll qua the petitioner reveals that he has already undergone incarceration for over 8 years and 5 months out of the total sentence of life imprisonment awarded to him and that his overall conduct in jail has been satisfactory from the inception of his incarceration. It further reveals that the petitioner has been released on parole as well as furlough on a number of occasions earlier and is stated not to have misused the liberty earlier granted to him.

In view of the foregoing, I see no impediment in allowing the present petition and release the petitioner on parole in order to enable him to make necessary monetary arrangements and attend the marriage of his younger sister.

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.20,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent subject to the following conditions:-

- (1) The petitioner shall not leave the National Capital Territory of Delhi without prior permission of the court.
- (2) He shall furnish his mobile telephone, which he undertakes to keep operational, to the concerned SHO.
- (3) Lastly, the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

With the above directions the writ petition is disposed of.

A copy of this order be sent to the Jail Superintendent to be communicated to the petitioner.

SIDDHARTH MRIDUL, J

FEBRUARY 15, 2016
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