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

+ W.P.(CRL) 494/2016

SUSHIL KUMAR @ PANDIT JI Petitioner
Through: Mr.Pramod Kumar Dubey, Ms.Megha
& Mr.Siddharth Johar, Advocates

versus

STATE Respondent
Through: Mr.R.S.Kundu, A.S.C. for the State
with SI Manoj Kumar PS Bhalswa
Dairy

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
15.02.2016

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1. The present petition has been filed by the Petitioner from jail seeking parole for a period of two months on the ground of performing last rituals of his father, who has expired on 13th November, 2015, and for re-connecting social ties with his family and society.
2. Notice. Mr.R.S.Kundu, A.S.C. for the State accepts notice of this writ petition.
3. Heard. Status report has also been filed by the State.
4. Learned counsel for the Petitioner submits that petitioner is seeking parole for performing last rituals of his father who has expired on 13th November, 2015 and for connecting social ties with the family & society. 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'.

5. Learned ASC for the State submits that address of the Petitioner has been verified and appropriate order may be passed keeping in view the Parole/Furlough Guidelines-2010 issued by the Government of National Capital Territory of Delhi.

6. As per nominal roll, the overall jail conduct of the Petitioner as well as jail conduct in last one year is mentioned as 'Satisfactory'.

7. 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 ₹ 10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:-

(i) Since the petitioner is being granted parole for the purpose of performing last rituals of his father and for re-establishing social ties with the family & society, and he is resident of C-29, Shiv Mandir Road, Swaroop Nagar, Delhi (the address mentioned in the memo of parties) the Petitioner shall keep the SHO/Duty Officer, P.S. Bhalswa Dairy, Delhi informed about his place of residence in Delhi as well as his place of residence where he would go for the purpose of completing last rituals of his father and his contact numbers i.e. mobile, landline or both.

(ii) During the period of parole, the Petitioner shall report to the Duty Officer, P.S. Bhalswa Dairy, Delhi on every Monday at 10 AM.

(iii) The Petitioner shall keep the SHO, P.S. Bhalswa Dairy, 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.

(iv) During the period of parole, the petitioner shall not try to contact and visit the residence of victim/witnesses in any manner for any reason whatsoever.

(v) 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.

8. 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.

9. Writ Petition stands allowed in the above terms.

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

11. **It is made clear that the Petitioner shall avail the benefit of parole granted herein above in case FIR No.90/2010 under Sections 302/201/34 IPC, PS Bhalaswa Dairy only if he is on bail in other cases or is otherwise eligible to be released.**

Order *dasti*.

PRATIBHA RANI, J.

FEBRUARY 15, 2016

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