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

+ W.P.(CRL) 623/2016

RAJ KUMAR

..... Petitioner

Through: Mr.Tarun Khanna, Advocate

versus

STATE

..... Respondent

Through: Mr.Avininder Singh, A.S.C. for the
State with Ms.Megha Bahl and
Ms.Ananya Mohan, Advocates with
SI Bijender, A/C Branch, GNCTD

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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06.04.2016

1. By this writ petition under Article 226 and 227 of the Constitution of India read with Section 482 of Cr.P.C., petitioner is seeking grant of three months parole to get medical treatment, to arrange for funds for the same and to protect the social ties.
2. Heard. Report regarding the medical condition of the petitioner has been filed by the State.
3. As per the medical report, the petitioner, Raj Kumar is undergoing treatment of Hyperuricemia and was diagnosed as case of L L5 radiculopathy IVDP (L4-5) by neurologist at G.B. Pant Hospital. As on 2.4.2016, he is reviewing treatment for L L5 radiculopathy IVDP (L4-5) and under regular follow up and treatment by the visiting specialist and attending Medical officer.

4. Learned counsel for the Petitioner submits that petitioner is seeking parole for proper medical treatment for pain in lower back and left limb in a good private hospital from outside the Jail 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. Looking into the facts and circumstances of the case and medical condition of the petitioner, which fact has been duly verified by the State, the prayer for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of two 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) During the period of parole, the Petitioner shall report to the Duty Officer, P.S. ACB, Delhi on every Monday at 10 AM.

(ii) The Petitioner shall keep the SHO, P.S. ACB, 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/limits of NCT of Delhi.

(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.

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. Writ Petition stands allowed in the above terms.

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

Order *dasti*.

PRATIBHA RANI, J.

APRIL 06, 2016

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