

\$~71

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

+ W.P.(CRL) 668/2016

RAVI SAXENA @ BRIJ MOHAN

..... Petitioner

Through : Mr.Sumer Kumar Sethi, Advocate
and Ms.Dolly Sharma, Advocates.

versus

STATE

..... Respondent

Through : Mr.Ashish Aggarwal, ASC for the
State.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

%

29.02.2016

1. The present petition has been filed by the Petitioner from jail seeking parole for a period of three months on the ground of re-connecting social ties with his family and society.
2. Notice. Learned ASC accepts notice on behalf of State.
3. Heard. Status report has also been filed by the State verifying the address of the petitioner to be correct.
4. Learned counsel for the Petitioner submits that the Petitioner had made representation to the Respondent/State praying for grant of parole which has been rejected by the Respondent vide order No.F.18/525/2015/HG/326 dated 25.01.2016. 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

W.P.(CRL) 668/2016

Page 1 of 3

to enable him to reconnect social ties with his family and society.

5. Learned ASC for the State submits that as per the status report filed, the Petitioner is also involved in another case bearing FIR no.174/2006 under Section 376/363/34 IPC, PS Subzi Mandi and in the circumstances, there is a possibility of his jumping the parole. He further submits that appropriate order may be passed keeping in view the Parole/Furlough Guidelines 2010 issued by the Government.

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'. Further in column No.18 i.e. Details of pending cases, if any, it is mentioned that the petitioner is involved in FIR no.174/2006 under Section 376/363/34 IPC, PS Subzi Mandi and is on bail in that case.

7. Considering the facts and circumstances 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. Subzi Mandi, Delhi on every Monday at 10 AM.
- (ii) The Petitioner shall keep the SHO, P.S. Subzi Mandi, 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 not cross Delhi border.

(iv) During the period of parole, the Petitioner shall not try to contact the witnesses in any manner 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.

Order *dasti*.

PRATIBHA RANI, J.

FEBRUARY 29, 2016

'st'