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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 632/2016

LOKESH MISHRA

..... Petitioner

Through

Mr. Anurag Jain, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Mr.Piyush Singhal, ASC with Mr. Ashish
Aggarwal, Advocate

Sub-Inspector Sunil Singh, PS Defence
Colony, New Delhi.

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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01.04.2016

1. Vide this petition, the petitioner seeks parole for a period of one month for getting the admission of his children in some boarding school, making financial arrangement for surgery of his wife fixed at Safdarjung Hospital and repair of his house in village.

2. When the petition was filed, it was stated that the application has been moved before the Competent Authority, however, the same has not been decided as yet. Learned ASC has placed on record the copy of the order dated 9th March, 2016 vide which the request made by the petitioner seeking parole has been rejected and one of the grounds for rejection is that a minimum period of six months has not elapsed from the date of termination of previous parole.

3. Learned counsel for the petitioner submits that this ground does not survive any more as the last parole was granted to the petitioner for two weeks w.e.f. 26th August, 2015 to 11th September, 2015, as such, a period of six months has expired.

4. Status report has also been filed by the State verifying the averments made in the petition. It is verified that the children of the petitioner aged about 15 years and 10 years are required to be admitted in school. His wife is required to undergo operation on 1st March, 2016, however, she did not report for the operation. The house of the petitioner also needs to get repaired.

5. Counsel for the petitioner submits that the wife of the petitioner did not report at the hospital because she had no money to deposit in the hospital for the purpose of operation. The house which is required to be repaired is situated at Tikam Gargh, MP.

6. As per the nominal roll dated 3rd March, 2016, the sentence of the petitioner was modified by this Court to 10 years rigorous imprisonment and unexpired portion of sentence is 10 months 21 days.

7. Under the circumstances, for getting the admission of his children in school and for operation of his wife, the petitioner is granted parole for a period of two weeks which will be effective from the date of his release on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial court concerned. As per the nominal roll, the petitioner has twice surrendered late. As such, it is impressed upon the petitioner to surrender in time before the Superintendent Jail and not to contact the prosecutrix or any of her family members. He is further directed not to leave Union Territory of Delhi during this period. He is further directed to furnish his address as well as contact number to the Superintendent Jail as well as to the SHO, PS Defence Colony.

The petition stands disposed of.

Order *dasti*.

Copy of the order be sent to the Superintendent Jail for information.

SUNITA GUPTA, J

APRIL 01, 2016

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