

#37

* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 14.03.2016

+ W.P. (CRL.) 701/2016

VIJAY @ RAJESH

..... Petitioner

Through

Ms. Richa Sharma, Mr. Sanjay
Sharma and Mr. Sahil Mongia, Advs.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through

Ms. Kamna Vohra, ASC (Crl.)
SI Jagrup Singh, PS Anand Parbat

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. 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 competent authority to release the petitioner on parole in order to enable him to get treatment of his mother as well as to institute an SLP before the Hon'ble Supreme Court of India.

2. Upon verification, a status report has been filed on behalf of Inspector Sahdev Kumar, SHO, Police Station- Anand Parbat, Delhi. The same is taken on record.

3. A perusal of the status report reveals that the petitioner's mother is scheduled to undergo a cranioplasty on 18th March, 2016 at Maharaja Agrasen Hospital, Punjabi Bagh, New Delhi.

4. In view of the foregoing, I see no impediment in allowing the present writ petition.

5. In the present case, it is observed that the petitioner was released on parole earlier and has not been stated to have misused the liberty granted to him.

6. 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.25,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court subject to the following conditions:-

- (i) During the period the petitioner remains out on parole, he shall report to the SHO, Police Station- Anand Parbat, once a week on every Thursday.
- (ii) The petitioner shall also provide the SHO of the concerned police station with his mobile telephone

- number which he undertakes to keep operational.
- (iii) He shall not leave the jurisdiction of the NCT of Delhi without the prior permission of this Court.
 - (iv) Lastly, the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

7. With the above directions, the writ petition is allowed and disposed of accordingly.

8. A copy of this order be sent to the Jail Superintendent for necessary information and compliance.

9. A copy of this order be given dasti under signature of the Court Master to counsel for the parties.

MARCH 14, 2016
sd

SIDDHARTH MRIDUL, J