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

+ W.P.(CRL) 768/2016

ASHISH

..... Petitioner

Through: Mr.Ashutosh Kaushik, Advocate

versus

STATE

..... Respondent

Through: Ms.Kamna Vohra, A.S.C. for the
State with SI Narasi Prasad PS Hajrat
Nizamuddin

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.03.2016

1. The present petition has been filed by the Petitioner from jail seeking parole for a period of three months on the ground of completing the construction of the house as well as for maintaining social ties with his family and society.
2. Learned counsel for the petitioner submits that the petitioner is seeking parole mainly on the ground that the petitioner wants to complete the construction of his house as the construction work was stopped in between as there was no one to oversee the construction work. Learned counsel for the Petitioner further submits that another ground for seeking parole is to maintain social ties and as per Parole/Furlough Guidelines 2010, one of the objectives of framing the said guidelines was 'to protect social ties'.

3. Learned Standing Counsel for the State submits that appropriate order may be passed keeping in view the Parole/Furlough Guidelines-2010 issued by the Government of National Capital Territory of Delhi.

4. As per nominal roll, the jail conduct of the petitioner in last one year is mentioned as 'Satisfactory'. Perusal of the nominal roll further reveals that the petitioner is resident of House No.21, Dudu Bagh, SC Road, Loha Mandi, Jaipur, Rajasthan, which address is also mentioned in the memo of parties. Further as per the nominal roll, the petitioner has availed parole w.e.f. 04.03.2015 to 04.04.2015 by order of this Court.

5. Considering the facts and circumstance of the case and that petitioner is resident of Jaipur, Rajasthan, 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, who is permanent resident of Delhi**, of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:-

(i) Since the petitioner is resident of House No.21, Dudu Bagh, SC Road, Loha Mandi, Jaipur, Rajasthan, the Petitioner shall keep the concerned Jail Superintendent as well as SHO/Duty Officer, P.S. Hazrat Nizamuddin, Delhi informed about his place of residence and his contact numbers i.e. mobile, landline or both during the period of parole.

(ii) **The concerned Jail Superintendent is directed to get the address of the petitioner as well the surety verified before releasing the petitioner on parole and it would be open to the Jail Superintendent to seek cancellation of parole in case it is found to be incorrect.**

(iii) The Petitioner shall report on every Monday at 11 AM to the Duty

Officer of the concerned Police Station/Police Post under the jurisdiction of which, the Petitioner shall stay during the period of parole in his native town.

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

6. 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.

7. Writ Petition stands allowed in the above terms.

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

Order *dasti*.

PRATIBHA RANI, J.

MARCH 09, 2016

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