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

+ W.P.(CRL) 819/2016

RAKESH @ TONI

..... Petitioner

Through: Mr.S.K. Sethi, Mr. D. Sharma and
Mr.Parikshit Mahipal, Advocates.

versus

STATE

..... Respondent

Through: Mr. Sanjay Lao, A.S.C. for the State
with Mr.Siddarth Sindhu, Advocate
with SI Ramesh Kumar, PS Sultan
Puri.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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27.04.2016

1. The present writ petition has been filed under Sections 226 & 227 of the Constitution of India read with Section 482 Cr.P.C. by the Petitioner from Jail praying for grant of parole for a period of three months on the ground to arrange funds for his family as well as to re-establish social ties with the family and the society.

2. Status report has been filed by the State verifying the address of the Petitioner to be correct.

3. Learned counsel for the Petitioner has placed on record photo copy of the communication dated 12.4.2016, addressed to the Jail Superintendent, by Asst. Ahlmad of the concerned Court, as per which the petitioner is on bail in FIR No. 209/2011, under Section 302/201/34 IPC, registered at PS S.P. Badli.

4. Learned counsel for the Petitioner submits that the Petitioner had made representation to the Respondent/State praying for grant of parole

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which has been rejected by the Respondent vide order No.F.18/56/2015/HG/713 dated 10.2.2016.

5. Learned counsel for the Petitioner submits that petitioner is seeking parole to arrange funds for his family as well as to re-establish social ties with the family and the 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'.

6. Learned counsel for the Petitioner further submits that the Petitioner undertakes to abide by any condition deemed fit by this Court while considering his prayer.

7. Nominal roll of the Petitioner has also been placed on record, perusal of which shows that the conduct of the Petitioner, during the period of incarceration, has been 'Satisfactory'.

8. On behalf of the State, it has been submitted by learned Addl.Standing Counsel that appropriate order may be passed keeping in view Parole/Furlough Guidelines-2010 issued by the Government of National Capital Territory of Delhi.

9. Considering the facts and circumstances of the case and the fact that the Petitioner is seeking parole for the purpose of arranging funds for his family as well as to re-establish social ties with the family and the society, which is permissible under the guidelines and the petitioner is on bail in FIR No. 209/2011, under Section 302/201/34 IPC, registered at PS S.P. Badli, the prayer for grant of parole is allowed and the Petitioner is granted parole for a period of four weeks from the date of his release to arrange funds for his family as well as to re-establish social ties with the family and the society, 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. Sultan Puri, Delhi on every Monday at 10 AM.
- (ii) The Petitioner shall keep the SHO, P.S. Sultan Puri, 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 borders.
- (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.

10. 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.

11. Writ Petition stands allowed in the above terms.

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

Order *dasti*.

APRIL 27, 2016
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PRATIBHA RANI, J.