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

+ W.P.(CRL) 827/2016

JITENDER SINGH

..... Petitioner

Through: Mr Ankur Sood, Advocate.

versus

STATE

..... Respondent

Through: Mr Rahul Mehra, Standing Counsel
(Crl.).

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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14.03.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking release of the petitioner on parole in order to enable him “to take care of his son who is suffering from ear drum problem; to maintain his family and social ties with the family”.

The petitioner is aggrieved by the order dated 11.02.2016 whereby his application for grant of parole on the above stated grounds was rejected by the competent authority for the following reasons:-

“rejected in the absence of requisite police verification report regarding verification of address and grounds taken by convict from concerned police authorities i.e. from DCP, Outer District, Pritampura, Delhi and SHO/PS Sultan Puri, Delhi which could not be obtained despite several requests.

Further, the convict has last availed 01 months parole w.e.f. 17.04.2015 to 18.05.2015 by the order of GNCT and 07 weeks furlough during the year 2015 including last availed 02 weeks furlough up to 22.11.2015 by the order of DG (P).”

Insofar as the rejection in pursuance to the absence of requisite police

verification is concerned, the same is untenable, inasmuch as, a convict cannot be visited with the consequence of the apathy of the administration.

Insofar as the other ground is concerned there is no gainsaying in the fact that a person in long incarceration is entitled to be released on parole once in every six months to re-establish social ties and for physical and mental well being.

In view of the above, I see no impediment in granting parole to the petitioner. The petitioner is directed to be released on parole for a period of four weeks from the date of his release subject to his furnishing a personal bond in the sum of Rs.5,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent, subject to the following conditions:-

- (1) The petitioner shall report to SHO, Police Station- Sultanpuri, Delhi, once a week on every Thursday during the period of parole.
- (2) He shall furnish his mobile telephone number, which he undertakes to keep operational, to the concerned SHO.
- (3) He shall not leave the National Capital Territory of Delhi without prior permission of the court.
- (4) Lastly, the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

With the above directions the writ petition is disposed of.

A copy of this order be sent to the Jail Superintendent to be communicated to the petitioner.

SIDDHARTH MRIDUL, J

MARCH 14, 2016

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