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

+ W.P.(CRL) 1019/2016

JASWANT SINGH @ BABLOO

..... Petitioner

Through: Mr Dines Malik, Advocate.

versus

STATE

..... Respondent

Through: Mr Rajesh Mahajan, Addl. Standing
Counsel (Crl.).

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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25.04.2016

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 search suitable life partner for himself; to re-establish social ties with family members and society and to arrange the finance for the same”.

The petitioner is aggrieved by the order dated 17.02.2016 whereby his application for grant of parole on the above-stated ground was rejected by the competent authority for the following reasons:-

“**rejected** in the absence of requisite police verification report regarding verification of address and ground taken by the convict has not yet been received from concerned police authorities i.e from SSP, Sambhal District, Uttar Pradesh, SHO, PS Chandausi, Uttar Pradesh, DCP, North West District, Ashok Vihar, Delhi and SHO/PS Jahangir Puri, Delhi, Despite several requests.

Further, the convict has availed 07 weeks furlough during the year 2015 including last availed 02 weeks furlough upto 07.12.2015 by the order rod DG(P)”

The reasons stated by the competent authority whilst rejecting the petitioner's representation for parole are ex facie unsustainable. The petitioner cannot be visited with the consequences of the apathy of the administration in their failure to verify the petitioner's address.

A perusal of the nominal roll qua the petitioner reveals that he has undergone almost twelve years incarceration out of the total sentence of life imprisonment. The petitioner's conduct in jail has been satisfactory since the inception of his incarceration. A perusal of the nominal roll qua the petitioner further reveals that he was earlier released on furlough on a number of occasions and is not stated to have misused the concession granted to him.

It is trite to state that a person in long incarceration is entitled to parole in order to re-establish social and family ties and for his mental and physical well-being.

In view of the foregoing, I see no impediment in allowing the present petition. 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.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 the concerned SHO, Lodhian Mohalla, Baba Sewa Giri Ashram, Chandausi, Distt. Moradabad (UP) once a week on every Wednesday 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 jurisdiction of the concerned SHO without prior permission of the court except to surrender before the jail authorities.
- (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 for compliance and to be communicated to the petitioner.

SIDDHARTH MRIDUL, J

APRIL 25, 2016

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