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

+ W.P.(CRL) 1097/2016

MANBIR @ MANNU

..... Petitioner

Through: Mr Tarun Khanna, Advocate for
Ms Saahila Lamba, Advocate.

versus

STATE

..... Respondent

Through: Ms Kamna Vohra, Addl. Standing
Counsel (Crl.).

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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05.04.2016

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 a direction to the competent authority to release the petitioner on parole in order to enable him to search a suitable match for his daughter, who is of marriageable age.

The petitioner is aggrieved by the order dated 25.02.2016 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 grounds taken by convict from concerned police authorities i.e. DCP/North East Distt., SHO/PS Khajoori Khas & SHO/PS Gokul Puri, Delhi, which could not be obtained despite several requests.

Further, the convict remained on R/Bail w.e.f. 16.08.99 to 26.11.11. Convict has last availed 02 weeks parole upto 01.06.15 by the order of GNCT and availed 07 weeks furlough during the year, 2015 including last availed 03 weeks furlough upto 22.12.15 by the order of

DG (P).”

The reasons attributed by the competent authority whilst rejecting the petitioners representation for parole are not sustainable in view of the circumstance that the apathy of the official respondent in not verifying the petitioner’s address and the genuineness of the ground expressed by him in his representation cannot visit him.

A perusal of the nominal roll qua the petitioner reveals that he has undergone almost six years and three months incarceration out of the total sentence of life imprisonment awarded to him. The conduct of the petitioner in jail has been satisfactory since the inception of his sentence. The petitioner has been released on furlough earlier and is not stated to have misused the liberty 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.

Moreover, it has been verified that the petitioner has a daughter, namely, Bhawna, who is aged about 23 years and, therefore, the ground that the petitioner wishes to find a suitable match for her seems to be genuine.

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 SHO, Police Station- Gokul Puri once a week on every Friday 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

APRIL 05, 2016

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