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

+ **W.P.(CRL) 1170/2016**

RAVI KUMAR

..... Petitioner

Through: **Mr.Vishal Raj Sehijpal, Advocate**

versus

STATE GOVERNMENT OF NCT OF DELHI

..... Respondent

Through: **Mr.Rahul Mehra, St.Counsel for the
State with SI Govind Singh PS Uttam
Nagar**

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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05.05.2016

CRL.M.A.6271/2016

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

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1. By way of this third writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., petitioner is seeking grant of parole for a period of one month on the ground of filing SLP before Hon'ble Supreme Court.

2. Notice. Mr.Rahul Mehra, Standing Counsel for the State accepts notice of this writ petition and furnishes the status report which is to the following effect:-

*“It is submitted that address mentioned in the petition
was visited. Sh.Govind s/o Sh.Rajpal was met at C-17/39*

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Shahbad Dairy Pensali Pehladpur, Delhi who stated he knows Rohit and his father from last 4-5 years as Rohit is his friend but neither Rohit nor Ravi Kumar reside here. He does not know their whereabouts. He has no concern with Rohit and Ravi Kumar. Being a friend, Rohit came to his house occasionally. It is also submitted that Rohit furnished an affidavit from this address. During verification another address i.e. House No.10A/10765, Balmiki Colony, Sant Nagar, WEA Karol Bagh, Delhi were also visited. Sh. Subash s/o Meer Singh (brother-in-law/saala of the petitioner) met there who stated that Ravi Kumar is his brother-in-law (Jija). Rohit s/o Ravi Kumar is residing with him who came after the gap 7-8 days and he worked in Rohini, Delhi.

Co-convict Sanjay Kumar, real brother of the present petitioner has jumped the parole granted to him vide order dated 10th November, 2014 in writ petition No.2107/2014 from the Hon'ble Court. His NBWs were remained unexecuted as family of Sanjay has been left from rented premises."

3. Mr.Rahul Mehra, Standing Counsel for the State has also furnished the orders dated 15th April, 2015 and 2nd December, 2015 passed in W.P.(Crl.) Nos. 734/2015 and 2778/2015 respectively whereby the petition for seeking parole by the present petitioner was dismissed by this Court.

4. The first writ petition being W.P.(Crl.) 734/2015 filed by the petitioner was dismissed by this Court vide order dated 15th April, 2015 for the following reasons:-

(i) The first address mentioned in the writ petition i.e. B-113, Ambedkar Park, Shahbad Dairy, Delhi was found to be incorrect;

(ii) However, at the second address mentioned in the writ petition i.e. House No.594, Village Shahbad Daulat Pur, Delhi, sister of the petitioner was found residing but she was not interested to keep the petitioner with her or take his responsibility as one of her brother, Sanjay, co-convict has already jumped parole.

5. The second writ petition being W.P.(Crl.) 2778/2015 filed by the petitioner was dismissed by this Court vide order dated 2nd December, 2015 for the following reasons:-

- (i) The co-convict, Sanjay, real brother of the petitioner jumped parole.
- (ii) No response was coming from the family of the petitioner apprehending that he may also jump parole.

6. For the reasons recorded above in W.P.(Crl.) Nos. 734/2015 and 2778/2015, I do not find any ground to release the petitioner on parole.

7. Writ petition is hereby dismissed. The Petitioner may file the SLP from the Jail.

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

PRATIBHA RANI, J.

MAY 05, 2016

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