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

+ W.P.(CRL) 1363/2016

JONNY

..... Petitioner

Through: Mr.Vikas Padora and Mr.Vaibhav
Aggarwal, Advocates.

versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan, A.S.C. for the
State with SI Guresh Jain, PS NFC.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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03.05.2016

1. The present petition has been filed by the Petitioner from jail seeking parole for a period of two months on the ground of re-connecting social ties with his family and society as well as for arranging funds for his family.
2. Notice. Learned ASC accepts notice on behalf of State.
3. Heard. Status report has also been filed by the State verifying the address of the petitioner to be correct.
4. Learned counsel for the Petitioner further submits that one of the ground for which the petitioner is seeking parole is to maintain social ties. 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'. Learned counsel for the petitioner prays for grant of parole to the Petitioner to enable him to reconnect social ties with his family and society.

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5. Learned ASC for the State submits that address of the Petitioner has been verified and appropriate order may be passed keeping in view the Parole/Furlough Guidelines-2010 issued by the Government of National Capital Territory of Delhi.

6. As per nominal roll, the overall jail conduct of the Petitioner as well as jail conduct in last one year is mentioned as 'Satisfactory'.

7. Considering the facts and circumstances of the case, the prayer for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of four weeks from the date of his release, 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. New Friends Colony, Delhi on every Monday at 10 AM.

(ii) The Petitioner shall keep the SHO, P.S. New Friends Colony, 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 the borders of Delhi.

(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.

8. 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.

9. Since as per column N.22 of the nominal roll of the petitioner i.e. status of the co-accused, it is mentioned that there are four co-convict in this case, the Jail Superintendent shall ensure that only one convict in this case shall be released at one point of time in view of clause 13 of Parole/Furlough Guidelines 2010 issued by Govt. of NCT of Delhi, which provides that :

'13. If there are more than one convicts in a case who are lodged in the same prison, the co-accused convicts would not be released simultaneously except upon special circumstances to be mentioned in the order granting parole.'

10. Writ Petition stands allowed in the above terms.

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

Order *dasti*.

PRATIBHA RANI, J.

MAY 03, 2016

'st'