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

+ W.P.(CRL) 1301/2016

SUDHIR

..... Petitioner

Through: Mr.Yogesh Swaroop and Ms.Asha
Garg, Advocates.

versus

THE STATE

..... Respondent

Through: Ms.Richa Kapoor, A.S.C. for the
State for Mr.Rahul Mehra, St.Counsel
for the State with SI Ramesh Kumar,
PS Sultan Puri

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
09.05.2016

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1. This is an application filed under Article 226 of the Constitution of India, read with Section 482 Cr.P.C., whereby the petitioner is praying for grant of parole for a period of three months on the ground of arranging funds for constructing house and for reconnecting social ties with the family and society.
2. Status report has been filed by the State verifying the address of the petitioner as correct.
3. Learned counsel for the petitioner submits that his house needs urgent repair work as the same is old and is presently in bad condition. There is nobody to look after his old aged parents. Therefore, the petitioner is praying for grant of parole for arranging funds for constructing house and for reconnecting social ties with his family and society.

4. Learned counsel for the Petitioner submits that he has been convicted in case FIR No.259/2009 under Section 304 Part-II/34 IPC, PS Sultanpuri and sentenced to undergo RI for 8 years and that out of the total sentence of 8 years, the Petitioner has undergone 6 years and 6 months and 26 in judicial custody. 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.

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

6. 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. Sultanpuri, Delhi on every Monday at 10 AM.

(ii) The Petitioner shall keep the SHO, P.S. Sultanpuri, 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.

7. 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.

8. Writ Petition stands allowed in the above terms.

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

10. Order *dasti*.

PRATIBHA RANI, J.

MAY 09, 2016

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