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

+ W.P.(CRL) 1386/2016

HANS RAJ

..... Petitioner

Through: Mr. Jai Bansal, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao & Ms. Srilina Roy,
Advocates along with SI Uma Dutt,
PS-Mangolpuri, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

08.07.2016

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The matter has been taken up today as 07.07.2016 was declared as holiday on account of Eid.

The petitioner has preferred the present petition to seek parole for a period of four weeks in case arising out of FIR No.159/2001, registered as P.S. Tosham. The petitioner stands convicted in two cases and is undergoing life imprisonment in both the cases. In the other case – arising out of FIR No.376/1996, registered at P.S. Mangolpuri, the petitioner was granted parole vide order dated 04.09.2014 passed in W.P. (Crl.) No. 1578/2014. It was then made clear that he would be entitled to avail of the benefit of parole, only if he is on bail in other cases or is otherwise eligible to be

released. The petitioner, however, could not avail of the benefit of the said order on account of the fact that he was undergoing sentence in the present case as well. When the petitioner applied to the District Collector, Bhiwani for grant of parole in the present case, the same was not entertained on the ground that the petitioner was lodged in Central Jail, Tihar, New Delhi. Writ petition preferred before the Punjab & Haryana High Court was also not entertained for the same reason, and he withdrew the same to prefer his remedy before this Court. It is in this background that the present petition has been preferred. The reasons for grant of parole recorded in the order dated 04.09.2014 are equally applicable in the present case as well.

Accordingly, the present petition is allowed on the same terms & conditions as are recorded in the order dated 04.09.2014. Consequently the position that obtains is that the petitioner stands granted parole in both cases, i.e. the case arising out of FIR No.376/1996 under Sections 394/302/398/34 IPC registered at P.S. Mangolpuri, and the case arising out of FIR No.159/2001 under Sections 302/449/216/120B IPC at P.S. Tosham, District Bhiwani.

The petition stands disposed of.

VIPIN SANGHI, J

JULY 08, 2016

B.S. Rohella