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

+ **W.P.(CRL) 1512/2016**

VIJAY JAIN

..... Petitioner

Through: Ms Neha Kapoor, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr Sanjay Lao, Addl. Standing Counsel
(Crl.).

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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17.05.2016

CRL.M.A. 7879/2016 (Exemption)

Exemption is granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 1512/2016

The present petition under Article 226 of the Constitution of India prays for a direction in the nature of mandamus to the official respondent to extend the parole granted to the petitioner which is stated to be expiring on 18.05.2016 on the medical grounds of his wife.

Upon verification a status report has been furnished on behalf of the official respondent. The same is taken on record. A perusal of the status report reveals that it has been verified from Dr Amit Kumar Srivastava of Max Hospital that Ms Vineeta Jain, the wife of the petitioner, is required to undergo knee surgery which has been fixed for 19.05.2016.

The petitioner had been enlarged on parole by this court by way of order dated 30.03.2016 primarily and principally on the ground that the petitioner's son Ankit Jain was suffering from mental illness and required constant care and

treatment at IHBAS, Delhi.

In the said order dated 30.03.2016 this court on a perusal of the nominal roll qua the petitioner has observed that the latter's jail conduct has been satisfactory since the inception of his incarceration and that the petitioner had been enlarged on parole on earlier occasions and is not stated to have misused the liberty granted to him.

In view of the aforesaid and after considering the medical reports qua the wife of the petitioner, in my opinion it is just, proper and necessary to extend the parole granted to the petitioner for a further period of four weeks on the same terms and conditions imposed by this court by way of order dated 30.03.2016 subject to the further condition that in the event the proposed knee surgery slated for 19.05.2016 does not take place on that day the petitioner shall surrender forthwith to the jail authorities.

With the above direction the writ petition is disposed of.

A copy of this order be given *dasti* under signature of Court Master to counsel for the petitioner.

SIDDHARTH MRIDUL, J

MAY 17, 2016

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