

\$~9.

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

+ W.P.(CRL) 1606/2016

MOHD. SHAHID KHAN @ RAJA

..... Petitioner

Through: Ms. Rakhi Dubey, Advocate.

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, APP for Mr.Sanjay
Lao, ASC along with SI Arun Dagar,
PS-Kapashera, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

02.11.2016

%

Status report has been filed and perused.

The petitioner has preferred the present writ petition to assail the order dated 21.04.2016 passed by the respondent denying parole to the petitioner. The petitioner also seeks a mandamus that he shall be released on first spell of furlough for a period of 3 weeks.

The petitioner stands convicted in case FIR No.109/2009 under Section 302 IPC registered at PS – Kapashera. He is undergoing life imprisonment. His appeal was dismissed by this Court on 10.03.2014. He has undergone incarceration of 6 years, 11 months and 17 days as on

05.05.2016. He was earlier released on parole between 19.08.2015 to 16.09.2015 for a period of 4 weeks by this Court. It is not reported that he jumped parole, or committed any crime during the said period. The jail conduct of the petitioner is satisfactory. The petitioner has filed an affidavit stating that he seeks furlough with a view to re-establish social ties. Considering the aforesaid circumstances, denial of parole to the petitioner does not appear to be justified under the guidelines.

Accordingly, the petition is allowed. The petitioner is directed to be released on furlough for a period of 3 weeks upon furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent. At the time of his release, he shall provide his mobile phone number, which shall be kept in working condition at all times and shall not be changed without prior intimation to the Jail Superintendent. The address of the petitioner stands verified, which shall not be changed. He shall mark his attendance at local police station on every Monday at 11:00 a.m. during the furlough period.

VIPIN SANGHI, J

NOVEMBER 02, 2016

B.S. Rohella