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

+ W.P.(CRL) 1760/2016

RAKESH KUMAR

..... Petitioner

Through: Petitioner-in-person

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao, ASC (Criminal) with
SI Shri Gopal, PS- Shakarpur

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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31.05.2016

The present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeks a direction to the Competent Authority to extend the parole granted to the petitioner for a further period of four months on the medical grounds of his son, who is stated to be seriously ill and is currently undergoing treatment at Pushpanjali Crossly (MAX) Hospital, Vaishali, Ghaziabad.

Notice.

Ms. Nandita Rao, learned Additional Standing Counsel (Criminal) accepts notice on behalf of the official respondent and on instructions from the IO in the subject FIR, namely, SI Shri Gopal, Police Station- Shakarpur states that the condition of the petitioner's son has been verified and it is opined to be critical, requiring constant hospitalization and treatment. The petitioner's wife, who has donated a kidney to the son, is not in a position to take care of the son and consequently, there is no other person in the family, who is able to provide financial and other support to the latter.

In view of the foregoing, it is considered just, necessary and expedient, on humanitarian grounds to extend the parole granted to the petitioner for a

further period of two months from the date of expiry of the parole earlier granted to him by way of order dated 08.04.2016, on the same terms and conditions, as imposed by this Court by way of the afore-stated order, which are reproduced hereinbelow:-

- “(i) During the period of parole, the petitioner shall report to the Duty Officer, P.S. Shakarpur, Delhi on every Monday at 10 AM.
- (ii) The petitioner shall keep the SHO, P.S. Shakarpur, Delhi informed about his place of residence in Delhi and his contact number 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 try to contact and visit the residence of victim/witnesses in any manner for any reason whatsoever.
- (iv) 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.
- (vi) 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.”

With the above directions, the writ petition is allowed and disposed of accordingly.

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

SIDDHARTH MRIDUL, J

MAY 31, 2016

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