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

+ **W.P.(CRL) 1949/2016**

NEERAJ KUMAR

..... Petitioner

Through: Mr. Dinesh Malik, Advocate

versus

STATE

..... Respondent

Through: Mr. Sanjay Lao, ASC with Mr
Siddarth Sindhu, Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
03.10.2016

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The petitioner has preferred the present petition to seek quashing of order dated 12.05.2016 denying the petitioner's application to seek parole. The petitioner also seeks parole for a period of three months to prefer a Special Leave Petition before the Supreme Court. The nominal roll on record shows that the petitioner stands convicted under Section 302/342/330 and 34 IPC. He was sentenced to rigorous imprisonment for life apart from fine. His appeal has been dismissed by this court on 19.10.2015 vide Crl A. No.148/2000.

Pertinently, the petitioner did not surrender despite the dismissal of his appeal and took his own sweet time to eventually surrender on

08.03.2016. He has undergone incarceration only for a period of 6 months as on 25.06.2016. Thus, even after dismissal of his appeal by this court, the petitioner remained at large for a period of nearly 8 months.

The petitioner seeks parole, firstly, to file a Special Leave Petition and secondly on the ground to deposit the school fee of the children. If the petitioner was so minded, he could have preferred the Special Leave Petition while he was still at large after his appeal was dismissed by this court on 19.10.2015. He did not do so. Only after undergoing 6 months incarceration, he now seeks parole on the said ground. So far as the reason given by the petitioner that he wishes to deposit the school fee is concerned, the same can be deposited by his wife or by any other persons in his family. Only for that purpose he cannot be released on parole.

Mr. Lao has tendered in court the orders passed by this court in similar parole applications preferred by the co-convict Anand Prakash and Mahipal Singh in W.P. (Crl.) No.2630/2016 and 2091/2016.

In view of the aforesaid, the petition is dismissed. It is open to the petitioner to prefer a Special Leave Petition through jail. In case he wishes to appoint a private counsel, the counsel shall be granted access to the petitioner in jail in terms of the jail manual.

Petition stands disposed of.

VIPIN SANGHI, J

OCTOBER 03, 2016

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