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

+ W.P.(CRL) 2096/2016

SUDHIR SHARMA

..... Petitioner

Through: Mr. Rajender Chhabra, Advocate
(DHCLSC).

versus

STATE

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel
and Mr. Jamal Akhtar, Advocate along
with SI Kishanveer Bhati, PS-Preet
Vihar, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

30.08.2016

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The status report has been filed. It is reported that the petitioner has two sons and one daughter aged 35 years. The petitioner is seeking parole to be able to arrange a match for his unmarried daughter. The parole application made by the petitioner to the State was rejected by the order dated 25.05.2016 on the ground that there was an adverse report which states that the convict may harm the witnesses.

In my view, the said ground is meaningless since the petitioner already stands convicted and is undergoing sentence. The fact that he has earlier been granted regular bail and had also been granted parole twice in 2014-2015 is a factor which goes in favour of the petitioner since it is not reported that he had misused the said liberty granted to him. The status report states that the jail conduct of the petitioner is also satisfactory. Out of

the total sentence, he has already undergone 7 years 6 months and 21 days sentence as on the date of the nominal roll, i.e. 02.06.2016. He has also earned remission of 9 months and 5 days. In these circumstances, the denial of parole to the petitioner does not appear to be justified.

Accordingly, the petitioner is granted parole for a period of four weeks upon his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent. During the period of parole, the petitioner shall mark his attendance at the local police station on every Monday at 11:00 a.m. He shall surrender at the end of the period of parole.

It is pointed out by learned counsel for the petitioner that such mechanical rejection of parole applications is common which leads to unnecessary burdening of the Court's docket and harassment to the convicts.

Mr. Mehra submits that new guidelines for grant of parole and furlough are under consideration. He states that the same shall be formalised at the earliest.

Let a copy of this order be also communicated to the Hon'ble Lieutenant Governor as well as to the Home Minister Department of the Government of N.C.T. of Delhi for information and compliance.

VIPIN SANGHI, J

AUGUST 30, 2016

B.S. Rohella