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

+ W.P.(CRL) 1982/2016

RAJESH KUMAR

..... Petitioner

Through: Ms. Shikha Meena, Advocate

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel,
GNCTD and Mr. Jamal Akhtar, Adv
with SI Virender Kuma, PS
Keshavpuram

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

12.08.2016

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The status report filed by the State has been perused. The nominal roll of the petitioner has also been perused. The petitioner has preferred the present writ petition to seek parole for a period of three months to enable him to prepare and file the Special Leave Petition against the judgment of this court dated 22.12.2015, whereby his conviction and sentence has been upheld.

The petitioner is undergoing sentence of 7 years rigorous imprisonment with fine of Rs.12,000/-. In default of payment of fine, he has to undergo further simple imprisonment for one month and one week.

The nominal roll shows that the petitioner has undergone 3 years 4 months and 18 days incarceration as on 02.08.2016. He has also earned remission on 11 months and 7 days. The unexpired portion as on 02.08.2016 is 2 years 8 months and 5 days. The jail conduct of the petitioner for the last year has been found to be satisfactory.

The nominal roll shows that another case is pending against the petitioner in case FIR No.14/2010 u/s 328/379/411 IPC. The petitioner is on bail in the said case. The petitioner is a convict in another case FIR No.747/2013 under the Arms Act. However, he has already undergone sentence in the said case.

The status report shows that the petitioner is not residing at the permanent address furnished by him at Distt. Gonda, U.P. However, his wife is found to be residing with his mother at Patel Nagar, New Delhi.

Learned counsel for the petitioner submits that the petitioner undertakes not to leave the NCT.

Since there is another case pending against him, which is under trial, upon release on parole, he shall not contact any of the witnesses or the complainant in the said pending case or influence them in any manner. Considering the satisfactory conduct of the petitioner and that he had earlier been granted bail and also the fact that he has already undergone more than half of the sentence, the petitioner is directed to be released on parole for a period of four weeks to enable him to file the Special Leave Petition. He shall be released on parole upon furnishing of personal bond with one surety in the sum of Rs.20,000/- to the satisfaction of the Trial Court. The petitioner shall report at the local police station once a week every month at 11:00 a.m. He shall surrender at the end of the parole period. He shall also

file the proof of filing of the Special Leave Petition.

Petition stands disposed of.

VIPIN SANGHI, J

AUGUST 12, 2016

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