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

+ W.P.(CRL) 2246/2016

SACHIN @ KAPIL

..... Petitioner

Through: Mr. Vikas Padora & Mr. Vaibhav
Aggarwal, Advocates.

versus

STATE

..... Respondent

Through: Mr. Sanjay Lao, ASC along with SI
Deepak Kumar, PS-Rajouri Garden,
for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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03.08.2016

Crl.M.A. No.11849/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2246/2016

Issue notice. Mr. Lao accepts notice.

Mr. Lao has tendered the status report, which is taken on record.

The petitioner has preferred the present petition to assail the order dated 26.05.2016 passed by the respondent rejecting the petitioner's application for parole. He also seeks a direction for grant of parole for a period of two months to establish social ties and to attend to his ailing mother. The ground for rejection of his application is that the reason given does not appear to be genuine as it is not clear whether the mother of the petitioner needs surgery and that his brother is also available to look after

the mother.

The aforesaid is no ground for rejection. Under the guidelines the petitioner is entitled to parole subject to conditions. It is observed that he has already undergone over 6 years and 11 months of incarceration, which includes over 2 years and 3 months post-conviction. The jail conduct of the petitioner is satisfactory. He was lastly granted parole between 27.08.2015 to 26.09.2015, and during that period, there was no adverse report with regard to his conduct while on parole.

In these circumstances, the petition is allowed and the impugned order is set aside. The petitioner is directed to be released on parole for a period of three weeks subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.20,000/- to the satisfaction of the Jail Superintendent;
- ii) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- iii) he shall report at local police station to mark his attendance on every Monday at 11:00 a.m. during the period of parole;
- iv) he shall duly surrender at the end of the period of parole; and
- v) he shall also not indulge in any criminal activity while on parole.

The petition stands disposed of.

VIPIN SANGHI, J

AUGUST 03, 2016

B.S. Rohella