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

+ **W.P.(CRL) 2088/2016**

SUNIL NAYAK

..... Petitioner

Through: Mr. Hemendra Jailiya, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, Additional Standing
Counsel along with SI Vishwanath,
PS-Sarai Rohilla, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

22.07.2016

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The petitioner has preferred the present writ petition to assail the order dated 01.02.2016, whereby the Deputy Secretary (Home) has rejected the petitioner's application for grant of parole in case FIR No.289/2006 under Section 302/ 34 IPC, PS-Sarai Rohilla.

As noticed above, the said order was passed on 01.02.2016. Learned counsel for the petitioner submits that there have been further developments post the passing of the said order, namely, the acquittal of the petitioner in case FIR No.536/2006 under Section 452/ 427/ 34 IPC registered at Police Station – Ashok Vihar. He further submits that the petitioner stands

discharged in case FIR No.106/2013 under Section 186/ 358/ 307/ 411/ 182/ 34 IPC and Section 25/ 27 of the Arms Act registered at Police Station – Crime Branch.

In my view, since the impugned order was passed over five months ago and there have been subsequent developments, it is open to the petitioner to again apply for parole to the competent authority. I am, therefore, not inclined to entertain the present petition at this stage. The petition is dismissed. In case the petitioner again applies for parole, the competent authority shall decide his application on merits in accordance with law.

VIPIN SANGHI, J

JULY 22, 2016
B.S. Rohella