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

+ W.P.(CRL) 2274/2016

DEEPAK SAINI @ MOHD. ALI

..... Petitioner

Through: Mr. Rajender Chhabra, Advocate

versus

STATE

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
07.12.2016

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The submission of learned counsel for the petitioner is that merely because the petitioner does not have a local address in Delhi is no ground to deny parole to him since he seeks to prefer a Special Leave Petition. The nominal roll shows that the petitioner has been sentenced to 7 years rigorous imprisonment under Section 392/397 IPC and Section 27 of the Arms Act apart from fine. His criminal appeal has been dismissed by this court on 11.03.2016.

He has not been released on parole on account of punishment inflicted on 14.10.2015. Since then more than a year has passed and, in my view, the petitioner is entitled to parole to be able to prefer a Special Leave Petition.

Merely because he does not have a local address is no ground to deny parole to him. His address at Saharanpur has been got verified and it is found that his sister is residing at the said address.

In these circumstances, the petitioner is directed to be released on parole for a period of four weeks subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.10,000/- 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 the 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;
- v) he shall provide the proof of filing of Special Leave Petition before the Supreme Court at the time of his surrender to the Jail Superintendent; and
- vi) he shall also not indulge in any criminal activity while on parole.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

DECEMBER 07, 2016

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