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

+ W.P.(CRL) 2276/2016

SURESH

..... Petitioner

Through: Ms. Naomi Chandra, Advocate.

versus

STATE

..... Respondent

Through: Mr. R.S. Kundu, ASC along with SI
Darpan Singh, PS-New Friends
Colony, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
03.08.2016

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Issue notice. Mr. Kundu accepts notice. He states that the address of the petitioner has been got verified. He has tendered in Court the status report, which is taken on record.

By this petition, the petitioner seeks parole for a period of two months to maintain social ties and reconnect to his family. He also wishes to file a Special Leave Petition before the Supreme Court. The petitioner was convicted under Section 307/ 323/ 34 IPC and was awarded 5 years rigorous imprisonment. After modification and reduction by the High Court, the sentence is 3 years. He has undergone 1 year 5 months and 20 days incarceration as on 05.07.2016 apart from earning remission of 2 months and 22 days. The unexpired portion of the sentence is 1 year and 3 months.

The jail conduct of the petitioner has been found to be satisfactory. The petitioner is entitled to parole in view of the guidelines and the rejection of his application does not appear to be justified.

Mr. Kundu points out that co-accused Sunil Kumar was granted parole w.e.f. 14.06.2016.

Since it is already over a month and a half since the time the co-accused was granted parole, there is no reason to deny parole to the petitioner only on the ground that the co-accused is on parole.

Accordingly, the petition is allowed and 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 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