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

+ **W.P.(CRL) 2561/2016**

RAKESH

..... Petitioner

Through: Mr.Kunal Sachdeva, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Srilina Roy for Ms. Nandita Rao,
ASC with SI Ajit Singh

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
27.09.2016

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The petitioner has preferred the present petition to seek a direction that he be released on parole for a period of three months to re-establish his social ties and also to file a Special Leave Petition against the judgment dated 02.06.2016 dismissing his appeal. The petitioner seeks quashing of the order dated 23.08.2016, whereby his application for parole was rejected by the Government.

The latest nominal roll shows that the petitioner stands convicted in case FIR No.44/2011 under Section 307/347 and sections 25/27/54/59 of the Arms Act. He was sentenced to rigorous imprisonment for 4 years with fine of Rs.4,000. In default of payment of fine, he was directed to undergo

further simple imprisonment for 30 days. The sentence undergone by him as on 15.09.2016 is 1 year 8 months and 23 days. He has also earned remission of 6 months and 14 days. His jail conduct is found to be good.

The State has filed the status report. The address of the petitioner has been verified. The complainant has expressed apprehension of danger to his life from the petitioner. Learned counsel for the petitioner submits that the petitioner is willing to subject to such terms and conditions as this court may deem appropriate to address the concerns of the complainant.

In view of the aforesaid, there is no reason to deny parole to the petitioner. Accordingly, the petition is allowed. The petitioner is directed to be released on parole for a period of four weeks upon his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the trial court. The petitioner shall, however, not come in contact with the complainant in any manner. The SHO of the concerned police station where the complainant resides shall also provide adequate protection to the complainant after assessing the threat to him from the petitioner. The petitioner shall report at the local police station once in every week on Monday at 11:00 a.m. to mark his attendance. He shall surrender punctually at the end of the parole period. At the time of his release, the petitioner shall provide his mobile phone number which shall not be changed during the parole period.

Petition stands disposed of in the aforesaid terms. Dasti.

VIPIN SANGHI, J

SEPTEMBER 27, 2016

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