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

+ W.P.(CRL) 2678/2016

SANJAY KUMAR

..... Petitioner

Through: Mr. Anurag Jain, Advocate.

versus

STATE (GOVT OF NCT DELHI)

..... Respondent

Through: Mr. R.S. Kundu, ASC and Ms. Sneha
Dhillon, Advocate for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
24.10.2016

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Crl. M.A. No.16477/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

Crl. M.A. No.16478/2016

Issue notice. Mr. Kundu accepts notice.

By this application, the petitioner seeks clarification of the order dated 22.09.2016 passed by this Court granting parole to the petitioner for a period of four weeks.

The submission of learned counsel for the petitioner is that the petitioner was orally directed at the time of his release in terms of order

dated 22.09.2016 that he should surrender on 22.10.2016. Accordingly, the petitioner surrendered on 22.10.2016 even though he was released on parole only on 29.09.2016. The submission is that the period of parole should have been counted from the date of release and not from the date of the order.

There cannot be any quarrel with the same but there is nothing to show that the petitioner was required to surrender within the month of the passing of the order dated 22.09.2016.

Let the respondent file a specific affidavit of the Jail Superintendent on the basis of the record disclosing whether the petitioner was instructed to surrender at the expiry of one month from the date of the order dated 22.09.2016, and not from the date of his release. The affidavit of the Jail Superintendent be filed before the next date.

List on 15.11.2016.

A copy of this order be also communicated to the Jail Superintendent directly for compliance.

VIPIN SANGHI, J

OCTOBER 24, 2016

B.S. Rohella