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

+ W.P.(CRL) 2838/2016

VINOD @ SURAJ @ MOTA

..... Petitioner

Through: Ms. Katyayini, Adv for Mr. Ajay
Verma, Adv.

versus

STATE

..... Respondent

Through: Ms. Richa Kapoor, ASC with Ms.
Mallika Parmar and Seema Patnaha,
Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

19.12.2016

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The latest nominal roll has been received. The same shows that the petitioner is undergoing a sentence of ten years rigorous imprisonment in case FIR 21/2008 under Section 302/34 IPC registered at PS Rohini. The nominal roll shows that as on 16.12.2016, the petitioner has undergone 8 years 10 months and 21 days incarceration and earned provisional remission of 10 months and 21 days. The unexpired portion of the sentence is 2 months and 18 days. The jail conduct of the petitioner has been reported to be unsatisfactory. The punishment inflicted upon the petitioner was on 02.05.2016, which is more than six months ago. The petitioner is also

shown to be involved in four other cases, out of which as per the report, he is on bail in three cases in respect of the offence registered under Section 324 IPC vide FIR 667/2003 registered at PS Rohini. It is not clear whether the petitioner is on bail or not in those cases.

Consider the aforesaid circumstances, I am inclined to allow the present petition to be able to prefer a Special Leave Petition by the petitioner. Accordingly, the petitioner is directed to be released on parole for a period of one month subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.20,000/- 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;
- vi) he shall also not indulge in any criminal activity while on parole; and
- vii) the petitioner has obtained bail, and is not in judicial custody in any other case.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

DECEMBER 19, 2016/sr