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

+ **W.P.(CRL) 2893/2016**

MOHD. SABIR

..... Petitioner

Through: Mr. Imran Khan, Advocate.

versus

STATE

..... Respondent

Through: Ms. Mallika Parmar, Advocate for
Ms.Richa Kapoor, ASC along with SI
Bharat Lal, PS-Hauz Khas, for the
State.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
03.10.2016

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Issue notice. Ms. Mallika Parmar accepts notice. She has tendered status report, which is taken on record.

The petitioner seeks a direction that he be released on parole for a period of 3 months to be able to engage a counsel and file a Special Leave Petition against the judgment of this Court dismissing his appeal, i.e. CrI.A. No.108/2014 dated 23.05.2016.

The petitioner stands convicted in case FIR No.188/2012 under Section 397/ 412/ 34 IPC and Section 27 of the Arms Act registered at Police Station– Hauz Khas. The nominal roll shows that he has undergone 4

years, 2 months and 2 days incarceration as on 19.09.2016 out of a maximum sentence of 7 years under Section 397 IPC. His jail conduct is found to be satisfactory.

The submission of learned counsel for the State is that the address provided by the petitioner is of a relative, whereas he is living on rent.

Learned counsel for the petitioner submits that the petitioner shall be staying with his relative and shall not change his address while on parole.

In view of the aforesaid, the petition is allowed. The petitioner is directed to be released on parole for a period of 4 weeks subject to his furnishing personal bond with one surety in the sum of Rs.20,000/- to the satisfaction of the Jail Superintendent. The petitioner shall provide his mobile phone number at the time of his release, which shall be kept in working condition at all times and shall not be changed during the parole period. He shall mark his attendance on every Monday at 11:00 a.m. before the local police station. At the time of his surrender, he shall provide proof of filing Special Leave Petition to the Jail Superintendent. He shall duly surrender at the end of the parole period and shall not indulge in any criminal act during the parole period. He shall not change his address and shall stay at the address of his relative, as provided.

VIPIN SANGHI, J

OCTOBER 03, 2016

B.S. Rohella