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

+ **W.P.(CRL) 2930/2016**

SHYAM PAL

..... Petitioner

Through: Mr. Jayant K. Sud, Mr. Honey
Khanna & Mr. Umang Kumar Singh,
Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Parul Jamwal, Advocate for
Mr.Rajesh Mahajan, ASC for the
State.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
04.10.2016

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Crl.M.A. No.15661/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2930/2016

Issue notice. Ms. Parul Jamwal accepts notice on behalf of the State.

The petitioner has preferred the present petition to seek extension of parole for a period of three months. The petitioner stands convicted under Section 138 of the Negotiable Instruments Act in two cases and he was

sentenced up to 10 months Simple Imprisonment in each of them. He was also subjected to payment of fine, and in default of payment of fine, he was directed to undergo Simple Imprisonment for 6 months. This Court reduced the sentence to 3 months Simple Imprisonment in case of default of payment of fine. However, the substantial sentence was maintained.

The submission of Mr. Sud is that the petitioner has already undergone about 20 months of incarceration since the sentences were not directed to run simultaneously. Mr. Sud submits that the petitioner's Special Leave Petition is pending before the Supreme Court. The same was listed on 13.09.2016, which was declared holiday on account of Id-ul-Zuha. The same is now likely to be listed on 17.10.2016 as per the case status seen on the internet. The parole granted by this Court is operative till 05.10.2016.

In view of the aforesaid, the petition is allowed. The parole of the petitioner is extended by a further period of four weeks. However, in case the Special Leave Petition of the petitioner is dismissed, he shall surrender forthwith. The petitioner shall comply with the same terms & conditions on which he was initially granted parole.

Order Dasti under the signatures of the Court Master.

VIPIN SANGHI, J

OCTOBER 04, 2016

B.S. Rohella