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

+ W.P.(CRL) 3282/2016

HARSH @ BAHABAR RAZA @ BABA

..... Petitioner

Through: Mr. Suman Chauhan & Mr. Gurpreet
Singh, Advocates.

versus

STATE

..... Respondent

Through: Mr. Avi Singh, ASC along with SI
Amit Tyagi, PS-Ranjit Nagar, for the
State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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15.12.2016

The address verification report has been tendered by Mr. Singh in Court, which is taken on record.

The petitioner has preferred the present writ petition to seek a direction that he be released on parole for a period of three months. The petitioner's application to seek parole was rejected by the State on 13.10.2016 on the ground that he had not served one year imprisonment at the relevant stage. The address had also not been verified at that stage.

The nominal roll on record shows that the petitioner is undergoing a sentence of maximum three years Rigorous Imprisonment along with fine in

respect of offence punishable under Section 420 IPC in case FIR No.134/2011 registered at PS – Ranjit Nagar under Section 420/ 508/ 354 IPC. The said sentence was modified in appeal by this Court to two years from three years, as aforesaid. The position emerging from the nominal roll is that as on 19.10.2016, the petitioner had undergone one year and four months of incarceration. After accounting for remissions earned, the unexpired portion was four months and eighteen days. The jail conduct of the petitioner is satisfactory. As on date, the remaining sentence would be about two months only.

In view of the aforesaid, the petition is allowed. 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.10,000/- 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; and
- v) he shall also not indulge in any criminal activity while on parole.

VIPIN SANGHI, J

DECEMBER 15, 2016

B.S. Rohella