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

+ **W.P.(CRL) 3635/2016**

NAZIM

..... Petitioner

Through: Mr. Yogesh Swaroop & Mr. Kapil
Kaushik, Advocates.

versus

STATE

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel
and Mr. Jamal Akhtar, Advocate
along with ASI Jaiveer Singh, PS- K.
Khas, for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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23.12.2016

Mr. Mehra has tendered a status report along with the nominal roll.

The petitioner is seeking parole on account of demise of his father on 11.12.2016. The petitioner states that he is the eldest son and he has to perform the last rites of his father.

The nominal roll shows that the petitioner is undergoing a sentence of 5 years Rigorous Imprisonment in respect of the offence under Section 393 IPC registered vide FIR No.387/2007 at PS – Khajuri Khas. The petitioner has undergone 2 years, 5 months and 10 days of incarceration as on

21.12.2016, apart from earning remission of 5 months and 17 days. His jail conduct is found to be satisfactory.

Though the petitioner was released on parole between 09.09.2016 and 25.09.2016, in view of the special circumstances of the case, namely the demise of the petitioner's father, the petition is allowed. The petitioner is directed to be released on parole for a period of two weeks 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 at the place of his residence 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.
- Dasti.

DECEMBER 23, 2016

B.S. Rohella

VIPIN SANGHI, J