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

+ W.P.(CRL) 1888/2015

VIPIN @ KAKE

..... Petitioner

Through

Mr.Ajit Sharma & Mr.Mayank
Aggarwal, Advs.

versus

STATE

..... Respondent

Through

Ms.Richa Kapoor, ASC with
Mr.Rohit Kaul, Adv.
Insp.Rajesh Kumar PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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05.01.2016

The petitioner questions the order dated 24.07.2015 passed by the competent authority whereby his prayer for being released on parole for the purposes of looking after his aged parents and for maintaining social ties with his family and society has been rejected. The rejection is primarily on the ground of adverse police report against him.

The police is also apprehensive of the fact that the petitioner might involve himself in other criminal activities in case he is released on parole.

Learned counsel for the petitioner, with reference to the nominal roll, submits that he has remained in jail for about 7 years by now out of a total sentence period of 10 years. His overall conduct in jail has been satisfactory throughout.

On earlier occasions also, the petitioner was released on parole and

furlough and on all such occasions when he came out of jail, he did not indulge in any unlawful activity and surrendered before the jail authorities on time.

The status report affirms the residential address of the petitioner. The status report also reveals that the petitioner was arrested in another case relating to offence under Sections 356/379/411 of the IPC.

Learned counsel for the petitioner, in response to such a statement, has submitted that after the petitioner was arrested in the other case referred to above, he was released on furlough and parole.

Considering the aforesaid facts, the petitioner is directed to be released on parole for a period of 30 days to be counted from the date of his release on his furnishing a bond in the sum of Rs.5,000/- with one surety of the like amount, to the satisfaction of the Superintendent of the concerned Jail, subject to the following conditions:-

- a. The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- b. The petitioner shall not engage himself in any unlawful activity.
- c. The petitioner would not leave, under any circumstance, the National Capital Territory of Delhi.
- d. He shall furnish his mobile telephone number and the mobile telephone number of both the sureties to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his parole and for taking of coercive steps for securing his attendance.

With these observations, the petition is disposed of.

Dasti.

Order be communicated to the petitioner through Jail Superintendent.

ASHUTOSH KUMAR, J

JANUARY 05, 2016

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