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

+ W.P.(CRL) 2149/2015

MADAN PAL @ MADAN

..... Petitioner

Through: Mr.Himanshu Suman, Advocate for
Ms.Arundhati Katju, Advocate.

versus

STATE

..... Respondent

Through: Ms.Kamna Vohra, A.S.C. for the
State with SI Somil Sharma, PS Nand
Nagri.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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21.01.2016

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., Petitioner is seeking parole for a period of three months on the following two grounds :-

- (i) The father of the petitioner is 70 years of age and wishes to distribute the ancestral property amongst his children during his life time.
- (ii) to re-establish social ties with family and society.

2. Status report has been filed by the State verifying the address of the Petitioner to be correct.

3. Learned counsel for the Petitioner submits that the Petitioner had made representation to the Respondent/State praying for grant of parole

which has been rejected by the Respondent vide order No.F.18/70/2012/HG/3184 dated 10.07.2015.

4. Learned counsel for the Petitioner submits that petitioner is seeking parole on two grounds (i) his father wants to distribute the ancestral property amongst his children within his life time to avoid any misunderstanding/quarrel between his children, and (2) for maintaining social ties. Learned counsel further submits that as per Parole/Furlough Guidelines 2010, one of the objectives of framing the said guidelines was 'to protect social ties' and prays for grant of parole to the Petitioner.

5. On behalf of State, it is submitted that appropriate order may be passed keeping in view Parole/Furlough Guidelines-2010 issued by the Government of National Capital Territory of Delhi.

6. As per nominal roll, the overall jail conduct of the Petitioner as well as jail conduct in last one year is mentioned as 'Satisfactory'.

7. Considering the facts and circumstance of the case, the prayer for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of four weeks from the date of his release, on his furnishing personal bond in the sum of ₹ 10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:-

(i) Since the petitioner is being granted parole for the purpose of re-establishing social ties and he is permanent resident of Village Sipura, P.S. Parta Pur, Distt. Meerut, U.P., he shall keep the SHO/Duty Officer, P.S. Nand Nagri, Delhi informed about his place of residence during the period of parole and his contact numbers i.e. mobile, landline or both.

(ii) The Petitioner shall report on every Monday at 11 AM to the Duty Officer of the concerned Police Station/Police Post under the jurisdiction of which, the Petitioner shall stay during the period of parole in his native town.

(iii) While submitting the bail bond, he will furnish to the Jail Superintendent the address and the contact numbers of the place where he would reside during the period of parole.

(iv) The petitioner shall not try to contact or influence the complainant/witnesses.

8. It is, however, made clear that on expiry of the parole period, the Petitioner shall surrender before the concerned Jail Superintendent, who shall submit the surrender report to this Court.

9. Writ Petition stands allowed in the above terms.

10. The Petitioner be informed through the Jail Superintendent about the order passed.

Order *dasti*.

PRATIBHA RANI, J.

JANUARY 21, 2016

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