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

+ W.P.(CRL) 2268/2015

JAIMOHAN @ MOHAN UPADHYAY

..... Petitioner

Through: Mr.Siddharth Yadav, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Rahul Mehra, St.Counsel for the
State with SI Neeraj Kumar PS
Mandawali

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **27.01.2016**

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., the petitioner is seeking parole for a period of one month on the ground of filing SLP and re-establishing social ties with the family and society.
2. 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.18/153/2015/HG/3933 dated 18.08.2015.
3. Learned counsel for the Petitioner submits that the petitioner is seeking parole for SLP and re-establishing social ties with the family and society and as per Parole/Furlough Guidelines 2010, one of the objectives of framing the said guidelines was 'to protect social ties'. Learned counsel for the petitioner prays for grant of parole to the Petitioner.

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

5. As per nominal roll, overall jail conduct of the petitioner is mentioned as 'Satisfactory'.

6. 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) During the period of parole, the Petitioner shall report to the Duty Officer, P.S. Mandawali, Delhi on every Monday at 10 AM.

(ii) The Petitioner shall keep the SHO, P.S. Mandawali, Delhi informed about his place of residence in Delhi and his contact numbers i.e. mobile, landline or both. It would be open to the concerned SHO to verify the address and the contact numbers and to seek cancellation of parole in case it is found to be incorrect.

(iii) During the period of parole, the Petitioner shall remain in Delhi and he shall not cross the border and will not try to contact the witnesses in any manner whatsoever.

(iv) While submitting the bail bond, he will furnish to the Jail Superintendent the address of the place where he would reside in Delhi during the period of parole as well as the contact numbers.

7. 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.

8. The Petitioner shall avail the benefit of parole granted herein above in case FIR No.490/2003 under Sections 392/307/397/34 IPC, PS Mandawali only if he is on bail in other cases or is otherwise eligible to be released.
9. It is made clear that if any of other co-convict is on parole/furlough, this order shall come in operation only after surrender of the said co-convict.
10. Writ Petition stands allowed in the above terms.
11. The Petitioner be informed through the Jail Superintendent about the order passed.

Order *dasti*.

PRATIBHA RANI, J.

JANUARY 27, 2016

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