

\$~32

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

+ W.P.(CRL) 2630/2015

NARESH KUMAR

..... Petitioner

Through: Mr.Ajay Verma, Advocate

versus

STATE

..... Respondent

Through: Mr.Avininder Singh, A.S.C. for the
State with Ms.Megha Bahl, Advocate

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

25.01.2016

%

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 ground of constructing a new house and to re-establish 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.18/23/2013/HG/3168 dated 10th July, 2015.

3. Learned counsel for the Petitioner submits that the petitioner is seeking parole 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'. Learned counsel for the petitioner prays for grant of parole to the Petitioner to enable him to

reconnect social ties.

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

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 re-establishing social ties and he is resident H.No.402, Village Baghru, Post Office: Tihar Baghru, Tehsil & District, Sonipat, PS Sadar Thana, Haryana (i.e. the address mentioned in the memo of parties) the Petitioner shall keep the SHO/Duty Officer, P.S. S.P.Badli, Delhi informed about his place of residence in Delhi as well as his place of residence in his native town and his contact numbers i.e. mobile, landline or both. He shall further inform the SHO/Duty Officer, P.S. S.P.Badli, Delhi as to the period for which he shall be staying in his native town.

(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 in Delhi and in his native town i.e H.No.402, Village Baghru, Post Office: Tihar Baghru, Tehsil & District, Sonipat, PS Sadar Thana, Haryana, during the period of parole.

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 25, 2016

‘pg’