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

+ W.P.(CRL) 2619/2015

RAMESH

..... Petitioner

Through

Mr. Ankur Sood and Mr. S. Mukherji,  
Advocates

versus

STATE

..... Respondent

Through

Ms. Kamna Vohra, ASC (Crl.)  
SI Des Raj, P.S. Vikas Puri

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**ORDER**

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**08.01.2016**

The present is a petition under Article 226 of the Constitution of India praying for a direction to the respondent to release the petitioner on parole *inter alia* in order to enable him to supervise the construction of his family house which is admittedly in a dilapidated condition.

The petitioner is aggrieved by the order dated 3<sup>rd</sup> June, 2015 whereby his representation for grant of parole on the afore-stated grounds was rejected by the competent authority for the reason that the petitioner has recently returned to jail after availing three weeks furlough upto 1<sup>st</sup> April, 2015.

At this stage, Ms. Kamna Vohra, learned ASC (Crl.) appearing on behalf of the official respondent points out that since the date of the impugned order herein, the petitioner has already availed furlough of two weeks on two different occasions for the period from 3<sup>rd</sup> June to 17<sup>th</sup> June, 2015 and 19<sup>th</sup> August to 2<sup>nd</sup> September, 2015.

However, the reason given by the competent authority while rejecting the petitioner's representation for parole is unsustainable, inasmuch as, we are now in 2016.

Be that as it may, a perusal of the nominal roll qua the petitioner reveals that he has already undergone almost ten years incarceration out of the total sentence of life imprisonment. The overall jail conduct of the petitioner has been satisfactory since the beginning of his incarceration. He is assisting the jail authorities and working as PWD Panja Sahayak satisfactorily. The petitioner has been released on parole as well as furlough earlier and has not misused the liberty granted to him on those occasions.

It is trite to state that a person in long incarceration is entitled to be released on parole twice a year.

In the circumstances, I do not find any impediment in granting parole to the petitioner. Consequently, the petitioner is enlarged on parole for the period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.5,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent subject to the following conditions:-

- (1) The petitioner shall report to SHO, Police Station- Vikas Puri, Delhi once a week on every Thursday during the period of parole.
- (2) He shall furnish his mobile telephone number, which he undertakes to keep operational, to the concerned SHO.
- (3) He shall not leave the National Capital Territory of Delhi without prior permission of the court.
- (4) Lastly, the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

With the above said directions, the writ petition is allowed and disposed of accordingly.

A copy of this order be sent to the Jail Superintendent for necessary information and compliance.

*Dasti.*

**JANUARY 08, 2016**  
**sd**

**SIDDHARTH MRIDUL, J**