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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 2971/2015
SHIV SHANKAR

..... Petitioner

Through
versus

Mr Neeraj Bhardwaj, Adv.

STATE

..... Respondent

Through

Mr Mr Akshay Malik, Additional Public
Prosecutor for the State for Ms Nandita Rao,
ASC for the State alongwith Insp. Lalit
Pawar Police Station Kamla Market, Delhi

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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01.02.2016

Vide this petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C, the petitioner seeks parole for a period of three months in order to enable him to file Special Leave Petition before the Hon'ble Supreme Court and also to establish social ties with the society and his family.

Learned counsel for the petitioner submits that since the petitioner intends to prefer Special Leave before the Hon'ble Supreme Court as such, in order to enable him to engage Advocate, arrange funds and have social ties with the society, he be granted parole for a period of three months.

The address of the petitioner has been verified by the State as "Village Ganghor Police Station Babu Bhadi, District Madhubani, Bihar" as per the verification report. Mr Akshai Malik, Additional Public Prosecutor for the State appearing for Ms. Nandita Rao, ASC for State submits he has no objection to grant of parole to the petitioner for three weeks for filing an SLP before the Supreme Court

As per nominal roll, out of seven years sentence awarded to the petitioner under Section 376/366 IPC, the petitioner has undergone substantial sentence leaving behind 11 months and 18 days as on 01.12.2015. His overall conduct has been reported to be satisfactory. The appeal preferred by the petitioner assailing his conviction has been dismissed on 07.07.2015 by this Court.

In view of the parole guidelines 9.6 “*to maintain family and social ties*” & 9.7 “*to pursue the filing of a Special Leave Petition before the Supreme Court of India against a judgment delivered by the High Court convicting or upholding the conviction, as the case may be*”, the petitioner is ordered to be released on parole for a period of three (3) weeks effective from the date of his release on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of the learned Trial Court concerned. He is also directed not to contact the complainant or any of the prosecution witnesses during this period or to indulge in any illegal activities. He is further directed to surrender before the Superintendent Jail on expiry of period of three weeks and furnish the details of filing of SLP before Hon’ble Supreme Court.

Petitioner be informed through the Superintendent Jail.

Petition stands disposed of accordingly.

Copy of the order be given dasti to counsel for the petitioner.

SUNITA GUPTA, J

FEBRUARY 01, 2016/*rd*