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

+ W.P.(CRL) 261/2017

TASLEEM

..... Petitioner

Through: Mr.Habibur Rahman, Adv.

versus

STATE

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
S.I Jaiwind Kumar, P.S. Kalyanpuri

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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13.02.2017

The instant writ petition under Articles 226 of the Constitution of India read with Section 482 Cr.P.C. has been filed on behalf of the petitioner for seeking parole for a period of one month.

Status report is on record.

Learned counsel for the petitioner submits that the petitioner is right now receiving sentence in FIR No.571/1997, P.S. Kalyan Puri, under Section 376(2)(g) IPC. He further submits that the behavior of the petitioner in the jail is satisfactory. He further submits that the petitioner has already undergone about 7 years in jail and that there is no misuse of Furlough/parole granted earlier. He also submits that the mother of the petitioner is paralyzed and suffering from stones in the Gallbladder and that she has to undergo operation and he has to make the arrangements regarding funds and want to look after his ailing mother. He accordingly prays for

grant of one month parole to the petitioner.

Learned Standing on behalf of State opposes the present application for granting of parole, while submitting that there are other family members in the family of the petitioner to look after his mother.

Nominal Roll dated 14.12.2016 reveals that the petitioner was convicted under Section 376(2)(g) IPC. Nominal Roll further reveals that the petitioner has already undergone approx. 7 years. It further reveals that he is not involved in any other criminal case and is not a previous convict. His overall jail conduct is satisfactory. Earlier the petitioner was granted Furlough/Parole on various occasions and there are no allegations of its misuse.

In the interest of justice and for the reasons mentioned in the writ petition, the petitioner is ordered to be released on parole for a period of one month effective from the date of his release on the following conditions:-

- (i) The petitioner shall furnish personal bond in the sum of Rs.5,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent concerned.
- (ii) He is further directed to report to the concerned SHO, Police Station- Kalyan Puri, Delhi on every Monday at 11:00 am during this period.
- (iii) He is also directed not to contact, threaten or coerce the victim or any of her family members during this period or to indulge in any illegal activities.
- (iv) He is also directed to furnish his contact number to the SHO concerned.
- (v) He is to surrender before the Superintendent Jail after the

expiry of period of parole.

Petitioner be informed through the Superintendent Jail.

Copy of the order be also sent to SHO, Police Station-Kalyan Puri, Delhi & to the concerned Jail Superintendent for information.

Petition stands disposed of accordingly.

A copy of the order be given *dasti* to counsel for the petitioner.

I.S.MEHTA, J

FEBRUARY 13, 2017/km