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

+ **W.P.(CRL) 269/2017**

NAUSHAD @ SHAMIM

..... Petitioner

Through: Mr. Jivesh Tiwari, Advocate.

versus

STATE

..... Respondent

Through: Mr. Ankit Kumar Gulia, Advocate for
Mr. R.S. Kundu, ASC along with SI
Rakesh Kumar, PS-Jafrabad, for the
State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

27.01.2017

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Issue notice. Notice is accepted on behalf of the State by Mr. Gulia. He has tendered a status report, which is taken on record.

The petitioner has filed the present petition to seek parole so as to enable him to file Special Leave Petition before the Supreme Court. His application has been rejected on the ground that the family of the petitioner had left the given address six months before and their whereabouts are not known. However, the address provided by the petitioner has been got verified. The petitioner is undergoing a sentence of 7 years Rigorous Imprisonment in respect of offence under Section 392 IPC in respect of FIR

No.201/2010 registered at PS – Jafrabad. The nominal roll discloses that the petitioner has undergone 2 years, 1 months and 15 days of incarceration as on 15.12.2016. His jail conduct is satisfactory over the last one year. However, he was given a punishment on 12.01.2015.

Since more than a year has elapsed from that time, the petitioner is entitled to be released on parole to prefer a Special Leave Petition. Accordingly, the petitioner is directed to be released on parole for a period of three weeks subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent;
- ii) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- iii) he shall report at the local police station to mark his attendance on every Monday at 11:00 a.m. during the period of parole;
- iv) he shall also not indulge in any criminal activity while on parole;
- v) he shall duly surrender at the end of the period of parole; and
- vi) he shall file proof of filing Special Leave Petition at the time of his surrender.

VIPIN SANGHI, J

JANUARY 27, 2017

B.S. Rohella