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

+ W.P.(CRL) 275/2017

SUNNY @ YOGESH

..... Petitioner

Through Ms.Suman Chauhan, Adv.

versus

STATE

..... Respondent

Through Mr.Rahul Mehra, Standing counsel.
Insp.Rajeev Yadav PS Inder Puri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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17.07.2017

The request of the petitioner for being released on parole for re-establishing social ties and for preferring SLP before the Supreme Court of India was rejected by the competent authority on 02.01.2017.

The order of the competent authority has been furnished by Mr.Rahul Mehra, learned Standing counsel. Let it be taken on record.

The order appears to have been passed because of adverse police report and the grounds taken by the petitioner being not genuine.

Learned counsel for the petitioner has drawn the attention of this Court to the nominal roll which indicates that the petitioner has been convicted under sections 392/394/397/411/34 of the IPC and has been sentenced to undergo RI for 7 years, to pay a fine of Rs.6,000/- and in default, to suffer further SI for 7 months.

The petitioner is shown to have remained in custody for more than 4

years and his general conduct as well as the conduct for the last one year has been satisfactory.

Mr.Rahul Mehra has pointed out from the nominal roll that contemporaneously with the case in which the petitioner is in custody, another FIR No.34/2012 with similar accusation was also filed. In the aforesaid case, the petitioner is stated to be on bail.

The address of the petitioner has been verified.

Taking into account the period of custody of the petitioner, the fact that earlier when he was released on either parole or furlough, he never misused that privilege and his overall conduct as well as conduct for last one year in jail being satisfactory, this Court is inclined to release him on parole for a specified period.

Let the petitioner be released on parole for a period of four weeks, to be counted from the date of his release, on his furnishing a bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction Superintendent of the concerned jail.

The petitioner shall abide by the conditions listed below:-

- a) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Region of Delhi, without intimating the officer-in-charge of the concerned police station.
- d) He shall furnish his and his sureties' mobile telephone numbers to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his parole and for taking of coercive steps for securing his attendance.

With these observations, the petition is disposed of.

The order be communicated to the Superintendent of the concerned jail for compliance and record.

ASHUTOSH KUMAR, J

JULY 17, 2017

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