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

+ **W.P.(CRL) 282/2017**

**SUSHIL @ PANDIT JI**

..... Petitioner

Through: **Mr. Pramod Kumar Dubey &  
Ms.Megha, Advocates.**

versus

**STATE**

..... Respondent

Through: **Mr. Rajesh Mahajan, ASC along with  
SI Rajender Singh, PS-Bhalswa  
Dairy, for the State.**

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER**

**27.01.2017**

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Issue notice. Mr. Lao accepts notice. He has tendered a status report, which is taken on record.

The petitioner is seeking parole on the ground that he has to perform the *Barsi* of his deceased father, and to reconnect his social ties. The address of the petitioner has been got verified.

The nominal roll shows that the petitioner is undergoing a life sentence in case FIR No.90/2010 under Section 302/ 201/ 34 IPC registered at PS – Bhalswa Dairy. The petitioner has undergone 4 years, 1 month and 10 days of incarceration as on 12.12.2016, which includes over 2 years and 9 months of incarceration post-conviction. His jail conduct is satisfactory. He has even earlier been released on parole once in 2015 and twice in 2016. The petitioner surrendered on 17.05.2016. The petitioner is involved in one

other case being FIR No.71/2013 under Sections 25/ 54/ 59 of the Arms Act registered at PS – Jahangir Puri. However, he has been released on bail in the said case.

His application has been rejected on the ground that his release may have bad impact on the society and there is possibility of his jumping parole.

When he was earlier released on parole, there is no report of his indulging in any offence or jumping parole. Therefore, in my view, the said could not have been the ground of rejection of the petitioner's application to seek parole.

The petition is, accordingly, allowed. The petitioner is directed to be released on parole for a period of three weeks to be able to perform the *Barsi* of his deceased father, 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 duly surrender at the end of the period of parole; and
- v) he shall also not indulge in any criminal activity while on parole.

**VIPIN SANGHI, J**

**JANUARY 27, 2017**

*B.S. Rohella*