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

+ W.P.(CRL) 309/2017

SAURAV @ GOLU

..... Petitioner

Through: Ms. Jasbir Kaur, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS

..... Respondents

Through: Ms. Nandita Rao, ASC

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

10.02.2017

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The petitioner has preferred the present writ petition to seek interim bail/ parole for a period of 2 months. The petitioner is convicted in case FIR 214/2009 u/s 302/120B/404/34 IPC. He is undergoing a life sentence in respect of the said offence and a two year sentence u/s 404 IPC.

The nominal roll shows that the petitioner has continuously remained incarcerated from 01.07.2009 onwards. As on 03.02.2017, he has spent 7 years 7 months 1 day in prison. His jail conduct is not satisfactory.

The report called from the jail shows that the petitioner has been subjected to repeated punishments on 11 occasions. It is for this reason he has not been granted parole earlier. On account of his conduct, there is no question of earning good conduct remission/ furlough.

The petitioner was directed to be produced before the court so that he

could be counselled and made to realise that he has to improve his conduct in jail.

The petitioner has been produced from custody and he is apologetic for his past conduct in jail and also assures the court that henceforth he shall maintain discipline and good conduct in jail. He states that he is the eldest in the family and his presence is necessary for the conduct of his sister's marriage.

In view of the assurance given by the petitioner to the court, which appears to be sincere, I am inclined to allow this petition. In these circumstances, the petitioner is directed to be released on parole for a period of four 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 duly surrender at the end of the period of parole; and
- v) he shall also not indulge in any criminal activity while on parole.

The petitioner's undertaking given to this court that he shall maintain good and proper conduct henceforth is accepted, and he shall remain bound by the same. This aspect should also be taken note of in the jail record of the petitioner.

Order dasti under the signatures of the Court Master.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

FEBRUARY 10, 2017

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