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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 516/2017**

VIRENDER @ KALU Petitioner
Through: Mr. Anurag Jain, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI) Respondent
Through: Ms. Nandita Rao, ASC for State with SI
Manish Yadav, PS Vasant Kunj (North), New
Delhi.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

% **ORDER**
27.07.2017

Crl.M.A. 2752/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 516/2017

1. The petitioner has invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure, 1973, for issuance of directions in the nature of mandamus directing the respondent to release the petitioner on parole for a period of one month from the date of his release.
2. Earlier it was pointed out that the application for grant of parole filed by the petitioner before the Government was pending disposal and on the last date of hearing i.e. on 24.03.2017 this court directed the respondent to consider and decide the parole application filed by the petitioner. Learned ASC today placed on record the copy of the order dated 27.04.2017, by

which the request of the petitioner to release him on parole was declined. She also filed a letter dated 15.02.2017 enclosing the Nominal Roll.

3. Learned counsel for the petitioner submits that his appeal (Crl.A. No. 811/2000) against the conviction has been dismissed by the Division Bench of this court on 19.10.2016 and the petitioner intends to file Special Leave Petition (Crl.) before the Hon'ble Supreme Court against the decision of this court dated 19.10.2016 and for this purpose, he may be released on parole for a period of one month.

4. As per the nominal roll, the petitioner has not been released on parole at any point of time. However, he was on regular bail during the pendency of his appeal in this court from 18.01.2002 to 01.11.2016.

5. In the circumstances, to enable the petitioner to avail of his statutory remedy of filing the Special Leave Petition before the Hon'ble Supreme Court, challenging the order of dismissal of his appeal dated 19.10.2016, the petitioner be released on parole for a period of one month from the date of his release on the following terms and conditions: -

(i) he shall furnish his personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent.

(ii) the petitioner shall maintain good conduct and behaviour during his release.

(iii) the petitioner will not leave the National Capital Territory of Delhi.

(iv) he will provide one mobile number of the surety to the SHO of the concerned Police Station, which will not be changed without permission of the court.

(v) he shall report to the SHO of the area every Monday and Thursday.

6. The petition is disposed of accordingly.
7. Copy of this order be sent to the Jail Superintendent for compliance.
8. Copy of this order be given *dasti*.

VINOD GOEL, J.

JULY 27, 2017
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