

\$~18.

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

+ **W.P.(CRL) 570/2017**

SANJAY SHARMA

..... Petitioner

Through: Ms. Manjeet Chawla, Advocate

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr. Rahul Mehra, SC

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

02.03.2017

%

The status report has been filed on record and perused.

The petitioner has preferred the present writ petition to seek a direction for his release on parole for a period of six weeks on the ground that he has to accompany his daughter for her 12th class board examination. The factum with regard to petitioner's daughter studying in Class 12th and preparing for the board examination has been verified by the State.

The application is opposed on the ground that the petitioner has a 19 years' old son who can accompany his daughter for the aforesaid purpose.

Learned counsel for the petitioner submits that the son is unemployed and is busy looking for an employment. Moreover, it is pointed out that the daughter of the petitioner also had to undergo treatment earlier at Institute of

Allied Health Sciences (IAHS).

Keeping in view of the aforesaid, the presence of the petitioner, who is the father of the girl child, by her side when she has to undertake her board examination would certainly be desirable. The nominal roll shows that the petitioner is undergoing the sentence of 5 years RI with fine in case FIR No. 437/2009 under Sections 307/34 IPC registered at police station Mandawali. The petitioner has already undergone 3 years 2 months and 22 days incarceration as on 25.02.2017 and also earned remission of 11 months and 10 days. The remaining sentence of the petitioner is only 9 months and 28 days. His jail conduct is found to be satisfactory. He was earlier also released on parole by this Court between 02.12.2015 and 31.12.2015. It is not reported that he has misused the said parole. The petitioner is involved in two other cases but he has been released on bail in both the cases.

In view of the aforesaid position, the petition is allowed. The petitioner is directed to be released on parole between 08.03.2017 and 18.04.2017. This is further subject to the condition that;

- i) his furnishing personal bond with one surety in the sum of Rs.25,000/- 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. He

shall not contact the complainant or any other witnesses in respect of other two cases and shall also not try to influence any witness or tamper with evidence.

The petition stands disposed of.

VIPIN SANGHI, J

MARCH 02, 2017

sl