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

+ W.P.(CRL) 743/2017

NARESH

..... Petitioner

Through Mr. Saurabh Kansal, Adv.

versus

STATE

..... Respondent

Through Mr. Rajesh Mahajan, ASC with Mr.
Lokesh Chandra, Adv.
Insp. Rajeev Yadav PS Inder Puri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **03.05.2017**

The petitioner had represented before the competent authority for being released on parole for preferring SLP before the Supreme Court of India and for re-establishing social ties with family and society.

Learned counsel for the petitioner submits that he was convicted for the offences under section 392/394/411/34 of the IPC and was sentenced to undergo RI for 5 years and to pay a fine of Rs.5,000/- and in default of payment of fine, to suffer SI for 6 months. The petitioner has remained in jail for more than 2 ½ years by now. His overall conduct in jail has been satisfactory.

Learned counsel for the petitioner submits that the reasons assigned by the competent authority for rejecting his prayer do not appear to be correct as the nominal roll does not show that the petitioner was involved in

any other case. Thus there is no material on record for the competent authority to come to the conclusion that the petitioner is a habitual offender.

Likewise, it would be very difficult to countenance the supposition of the competent authority that the petitioner might jump the parole.

Considering the period of custody and uniformly good conduct in jail, this Court is inclined to release the petitioner on parole for a period of four weeks.

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/- (Rupees Ten Thousand) with one surety of the like amount to the satisfaction of the Trial Court.

The petitioner shall be required to follow the conditions enumerated 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.
- d) He shall furnish his and his surety's 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.

Dasti.

ASHUTOSH KUMAR, J

MAY 03, 2017
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