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

+ W.P.(CRL) 904/2017

MD. JAFAR

..... Petitioner

Through: Mr. Azhar Qayum, Adv.

Versus

STATE

..... Respondent

Through: Mr. Avi Singh, ASC for State
with Inspector Shyam Ji Srivastava,
PS Keshav Puram.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **09.05.2017**

The petitioner was held guilty and convicted for offence under Section 302 IPC in sessions case arising out of FIR No.335/2011 of police station Keshav Puram to be sentenced to imprisonment for life and fine by the court of sessions by order dated 24.5.2014. The criminal appeal No. 1185/2014 preferred by him was dismissed by this court by judgment dated 10.11.2014. He prayed, for release on parole and the request has been rejected by the respondent-State by communication dated 10.3.2017, copy whereof has been submitted for the record today at the hearing.

The grounds on which the petitioner sought release on parole is to re-establish the social ties. The reasons for rejection of his request by the State are the speculation that he may disturb law and order area, may extend threat to the family of the victim and that there is likelihood of he jumping parole or committing similar offence during such release.

It is noted from the nominal roll that the petitioner was released on similar parole by the Government of NCT of Delhi itself for the period on 1.3.2016 to 29.03.2016. No abuse of the said liberty has been reported. In the status report submitted, the grounds of rejection for release on parole by the State do not find any resonance. The petitioner has been in jail for over five years now. The jail conduct has been reported to be satisfactory. The petitioner's counsel confirms that the petitioner does not intend to leave the territory of national capital territory during the period of release on parole.

Thus, the prayer is granted. The petitioner is directed to be released on parole for a period of four weeks, subject to the following conditions:-

- (i) He shall furnish personal bond in the sum of Rs.10,000/- with one surety in like amount to the satisfaction of the Superintendent Jail.
- (ii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the jail authorities and to local police.
- (iii) During the period of parole, he shall report to the SHO of the concerned police station once a week on every Saturday.
- (iv) During the period of his release, he shall not come in contact with or try to influence any of the witnesses of the case in which he stands convicted or the cases which are still pending against him.
- (v) During the period of release, he shall maintain peace and be of good behaviour not involving in any criminal activity.
- (vi) He shall not leave the National Capital Territory of Delhi during the period of parole, without prior permission of this court.

- (vii) He shall surrender before the jail authorities on the expiry of the period of parole.

The writ petition is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities.

Dasti.

R.K.GAUBA, J

MAY 09, 2017

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