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

+ W.P.(CRL) 1085/2017

MANOJ

..... Petitioner

Through Mr. Irshad Siddiqui, Adv. for Mr.
Biswajit Kumar Patra, Adv.
(DHCLSC)

versus

STATE

..... Respondent

Through Ms. Richa Kapoor, ASC with Mr.
Ashish Negi & Ms. Mallika Parwar,
Adv. for State.
Insp. Rajeev PS Kalyan Puri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **19.05.2017**

The representation of the petitioner for being released on parole has been turned down by order dated 28.09.2016. Adverse police report and the petitioner not having served minimum of six months for him to get the privilege of parole or furlough are the reasons cited for rejection of the aforesaid representation.

Learned counsel for the petitioner has drawn the attention of this Court to the nominal roll which indicates that the petitioner has remained in jail for about 13 years. He was convicted under sections 302/307/34 of the IPC read with section 27 of the Arms Act and was sentenced to suffer RI for life and to pay a fine of Rs.12,000/- and in default of payment of fine, to

suffer further RI 14 months.

The conduct of the petitioner has been satisfactory in jail except for one punishment which was given to him for jail offence on 16.12.2015. The petitioner has been granted furloughs on number of occasions and the last furlough was granted from 25.10.2016 to 08.11.2016. The address and the antecedents of the petitioner have been verified and nothing adverse has been reported.

Taking into consideration the aforesaid facts, 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/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned jail.

The petitioner shall abide by the conditions listed 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, without seeking permission of the officer-in-charge of the concerned police station.
- 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.

ASHUTOSH KUMAR, J

MAY 19, 2017
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