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

+ **W.P.(CRL) 2092/2016**

AJEET @ BHURI

..... Petitioner

Through: Mr. Ajit Sharma, Advocate

versus

STATE

..... Respondent

Through: Ms. Srilina Roy, Advocate for Ms.
Nandita Rao, ASC

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

06.03.2017

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The petitioner has preferred the present writ petition to assail the order dated 15.03.2016 whereby the petitioner's application to seek parole has been rejected. The petitioner had sought parole to provide medical treatment of his ailing mother who is suffering from an eye problem and also to maintain family and social ties.

The nominal roll on record shows that the petitioner is serving a life sentence in case FIR No. 6/2009 registered under Sections 302/34 IPC at police station Mayur Vihar. His appeal has been dismissed by this Court. As on 30.05.2015, the petitioner had undergone 7 years 3 months and 14

days incarceration.

This petition had been filed in July, 2016 when notice was issued returnable on 24.10.2016. Thereafter, it was adjourned on two occasions and that is how it is listed for hearing today. Learned counsel for the State has tendered in Court a status report. As per the status report, the mother of the petitioner is not alone since the petitioner has two other brothers to take care of her. The second ground is not made out according to the State. The address of the petitioner has been verified.

In these circumstances, the impugned order cannot be sustained and the same is quashed. The nominal roll discloses that the petitioner has earlier been released on furlough and parole in 2015 and 2016. It is not reported that he has misused the same. It has been nearly a year since the petitioner has been released on parole or furlough since he lastly surrendered on 23.06.2016 upon expiry of two weeks furlough.

The petition is, accordingly, allowed. The petitioner is directed to be released on parole for a period of four weeks upon furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent. This is further subject to the conditions that;

- i) 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;
- ii) 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;
- iii) he shall duly surrender at the end of the period of parole; and

iv) he shall also not indulge in any criminal activity while on parole.

The petition stands disposed of.

VIPIN SANGHI, J

MARCH 06, 2017

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