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

+ W.P.(CRL) 1077/2017

RAJU @ KAYIUM

..... Petitioner

Through: Mr. Hemendra Jailiya, Adv.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, ASC with Mr.
Siddarth Sindhu, Adv. for the State
SI Sachin Kumar, P.S. Amar Colony

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **21.04.2017**

The representation of the petitioner for being released on parole on the ground of attending to his son, who is suffering from Duchenne Muscular Dystrophy has not been acted upon by the competent authority. The petitioner, therefore, approaches this court for the needful.

From the record, it appears that the petitioner was released on parole for 4 weeks on 17.11.2016, which period was extended till 15.02.2017. The petitioner thereafter surrendered. The son of the petitioner, as stated earlier has been suffering from Duchenne Muscular Dystrophy, a kind of terminal illness for which he was supposed to be operated upon yesterday but the operation was postponed as biopsy had to be obtained before operation.

Considering the facts that the aforesaid contention of the petitioner has been verified and found to be true; the overall jail conduct of the

petitioner has been satisfactory and that the petitioner, out of the total sentence period of 5 years has remained in jail for 2 years and 7 months, this court is inclined to grant parole to him.

Let the petitioner be released on parole for a period of three weeks, to be counted from the date of his release, subject to 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 during the period of his parole shall not indulge in any unlawful activity and shall after the expiry of the parole period, positively surrender before the Superintendent of the concerned jail. The petitioner shall not, in the meanwhile, contact any person who would be interested in his conviction/prosecution.

The petitioner shall also furnish his mobile telephone number and the telephone number of his surety to the jail Superintendent which shall be communicated to the Officer In-charge of the concerned police station. Needless to say, the petitioner shall not leave the confines of National Capital Region Delhi without proper cause and not before seeking permission from the Trial Court.

The petition is allowed.

Let a copy of the order be given dasti under the signature of the Court Master.

ASHUTOSH KUMAR, J

APRIL 21, 2017

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