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

+ **W.P.(CRL) 1148/2017**

MD. MAJID

..... Petitioner

Through: Mr. Chetan Lokur, Advocate

versus

STATE

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel
with Mr. Jamal Akhtar, Advocate with SI Surender
Singh, PS Binda Pur, Delhi.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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21.04.2017

The petitioner stood trial in criminal case arising out of a report submitted on conclusion of investigation into FIR 54/2012 under Section 364A read with Section 34 IPC of Police Station Binda Pur and by judgment of the court of Additional Sessions Judge passed on 31.01.2014 he stands convicted. He was awarded rigorous imprisonment for life with fine of Rs.10,000/-. He preferred an appeal, criminal appeal no.528/2014 which was dismissed by this court on 16.10.2014.

The nominal roll dated 27.03.2017 received from Superintendent, Central Jail indicates that the petitioner has undergone imprisonment for over five years and had availed of

release on parole granted by this court for the period 21.04.2016 to 19.05.2016. His conduct in the jail is reported to have been satisfactory. The co-accused Shiv Sagar is lodged in jail. He has applied for release on parole but the said request was declined by the Govt. Of NCT of Delhi by communication dated 06.03.2017 on the ground that the address given by him was found locked and his family was not residing there. In the petition, the new address of his family has been indicated.

The grounds on which he seeks release on parole for a period of three months are that he intends search for a suitable life partner for himself and also to re-establish social ties with members of the family and society.

The learned standing counsel (Crl.) has submitted a status report signed by SHO of PS Binda Pur which confirms that the new address has been verified. Though the said report objects to the release on parole, learned standing counsel at the hearing submitted that in view of the nominal roll presented, he leaves the matter to the discretion to the court.

In the facts and circumstances set out above, case for release on parole for a period of four weeks is made out. Granted accordingly 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 petition stands disposed of accordingly.

R.K.GAUBA, J

APRIL 21, 2017

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