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

+ W.P.(CRL) 1129/2017

SIMRAN @ MEENA KHAN

..... Petitioner

Through: Mr. Rajtilak Guha Roy with Mr.
Akash Deep & Mr. Gaurav Tokas,
Advts.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms. Kamna Vohra, ASC

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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04.07.2017

The petitioner has questioned the order dated 27.04.2017 passed by the competent authority whereby the prayer of the petitioner for being released on parole for the purposes of arranging funds for paying the school fee of her child and for reconnecting social ties has been rejected. The grounds taken by the competent authority for rejecting such prayer are that the conduct of the petitioner in jail has not been uniformly good and that six months have not elapsed from the last availed parole of four weeks upto 14.12.2016.

The petitioner had been convicted under Sections 326 and 120B of the IPC and was initially sentenced to undergo RI for 5 years. Later, on appeal by the victim/informant, the sentence was enhanced to 10 years. The petitioner is said to have thrown acid on the victim, who was a co-worker in Rajdoot Hotel as a dancer.

Be that as it may, taking into account the fact that the petitioner has remained in jail for about more than 2 years and her conduct in jail has been satisfactory except for last year when she was punished for being in possession of tobacco, this court is inclined to grant parole for the petitioner. This court has also taken into account the status report which reveals that the two children of the petitioner are being looked after by the maternal uncle and neighbour. Because of the non-payment of the school fee of the son of the petitioner, his name has been struck off from the school rolls. The status report also reveals that the husband of the petitioner died in the year 2006 and there is no one to look after the children.

Taking into account the aforesaid facts, petitioner is directed to be released on parole for a period of four weeks to be counted from the date of her release, on furnishing bond in the sum of Rs.5,000/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned jail.

The petitioner shall be released on parole subject to the following conditions:-

- 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 herself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Region of Delhi, without the permission of the SHO of the concerned police station.
- d) She shall furnish her and her surety's mobile telephone numbers to the SHO of the concerned police station so that in case of necessity she could be tracked and her 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 her parole and for taking of coercive steps for securing her attendance.

With these observations, the petition is disposed of.

The order be communicated to the Superintendent of the concerned jail for compliance and record.

Dasti.

ASHUTOSH KUMAR, J

JULY 04, 2017

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