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

+ W.P.(CRL) 1255/2017

SHAILENDER

..... Petitioner

Through Ms. Dolly Sharma, Adv. for Mr. S.K.
Sethi, Adv.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through Ms. Kamna Vohra, ASC.
SI Ashish Kumar PS Bhajan Pura.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **19.05.2017**

The petitioner had represented before the competent authority for being released on parole for the purposes of finding suitable match for his son, treatment of his father, re-establishing social ties and for combating inner stress, which was turned down by order dated 17.11.2016.

The address and the grounds taken by the petitioner were not verified and this was cited as a reason for rejecting such request.

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 9 years by now. He had been convicted under section 302 of the IPC and was sentenced to undergo RI for life and to pay a fine of Rs.10,000/- and in default of payment of fine, to suffer SI for six months.

The conduct of the petitioner in jail has been absolutely satisfactory.

It has also been pointed out that on earlier occasions, the petitioner was granted furlough by the competent authority and was also allowed to come out on parole by the order of the High Court. On no occasion, did the petitioner involved himself in any unlawful activity or delayed in surrendering before the jail authorities.

The address and the grounds taken by the petitioner for seeking parole have been verified and have been found to be true.

Taking the aforesaid facts into account, 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:-

- e) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- f) The petitioner shall not engage himself in any unlawful activity.
- g) 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.
- h) 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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