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

+ W.P.(CRL) 1245/2017

AJAY

..... Petitioner

Through Ms. Suman Chauhan, Advocate

versus

THE STATE (NCT OF DELHI)

.... Respondent

Through Ms. Kamna Vohra, ASC for State

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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09.05.2017

The petitioner has called in question the order dated 6th March, 2017 passed by the competent authority whereby his representation for being released on parole for a specified period for preferring special leave petition before the Supreme Court of India and for re-establishing social ties has been rejected.

The rejection is primarily on the ground of adverse police report and the assessment of the competent authority that the petitioner may jump the parole.

Learned counsel for the petitioner has submitted that after his conviction in a case under Section 307/34 IPC and sentence of five years, the petitioner has been in judicial custody and for all the time that he has been in judicial custody, his conduct has been absolutely satisfactory.

It is further submitted that there is no material on record to justify the opinion of the competent authority about any adverse police report and the

possibility of petitioner harming the family of the victim in case the petitioner is released on parole.

Considering the uniform good conduct of the petitioner in jail and the period of custody spent by him, this Court is inclined to release him on parole.

Let the petitioner be released on parole for a period of 4 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.

Needless to state that the petitioner shall observe the following conditions during the period of parole:-

- a) The petitioner shall surrender on or before the expiry of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Territory of Delhi.
- d) 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 09, 2017/sd