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

+ W.P.(CRL) 1259/2017

RAKESH

..... Petitioner

Through: Mr. Manoj Pant, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Nandita Rao, ASC for the State
with SI Manish Kumar, PS Anand
Parbat.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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02.05.2017

Status report filed. Nominal roll has been received. Petitioner stood trial in criminal case arising out of investigation into FIR No. 62/2002 of police station Anand Parbat and was held guilty and convicted for offences punishable under Sections 302/392/394/397/34 IPC and Section 27 Arms Act by the judgment and order dated 15.12.2012 for imprisonment of life and fine. His appeal Crl. Appeal No. 160/2013 was dismissed by this Court on 18.12.2015. As per the nominal roll he has remained in custody so far for 3 years, 9 months and 12 days. Though the nominal roll seems to indicate he has been availing regularly release on furlough or parole, the last release on parole having been upto 8.4.2017, given the fact that his wife is to undergo surgery on 3.5.2017, the medical papers in which regard has been confirmed by the local police, as per the status report filed, the counsel for

the petitioner submitting that release on parole at this stage only for one week would suffice, the relief deserves to be granted. 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 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.
- (iv). During the period of release, he shall maintain peace and be of good behaviour not involving in any criminal activity.
- (v). He shall not leave the National Capital Territory of Delhi during the period of parole, without prior permission of this court.
- (vi). He shall surrender before the jail authorities on the expiry of the period of parole.

The writ petition is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

MAY 02, 2017

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