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

+ **W.P.(CRL) 1322/2017**

MANI KUMAR

..... Petitioner

Through: Mr. H. Rahman, Advocate for Mr. Azhar
Qayyum, Advocate.

versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan, ASC for the State.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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31.07.2017

1. The present petition has been filed by the petitioner inter alia praying for issuance of writ of mandamus granting parole to the petitioner for a period of two months for filing SLP before the Hon'ble Supreme Court of India.
2. Status report has been filed by the State.
3. Perusal of the nominal roll of the petitioner shows that he is undergoing a sentence of 6 years Rigorous Imprisonment for the offence under Sections 354-A IPC & 10 POCSO Act with fine of Rs.5,000/- in default 3 months Simple Imprisonment in case FIR No.156/2013 under Sections 354-A IPC & 10 POCSO Act registered at Police Station – Maurya Enclave.
4. The petitioner has already undergone 3 years 3 months and 3 days of incarceration and also earned remission of 8 months and 24 days as on 12.04.2017. The unexpired portion of the sentence is 1 year 4 months and 3 days (IFP). The jail conduct of the petitioner has been found to be satisfactory.
5. The appeal preferred by the petitioner was dismissed vide order dated 03.10.2016 of this Court.
6. The status report filed by the State goes to show that the statement of

Hukum Singh has been recorded in which he has stated that the petitioner Mani Kumar is the son of his mother's sister and the petitioner Mani Kumar would reside with him at H.No.B-88, Vikas Enclave, Gali No.9, Vikas Nagar, Uttam Nagar, New Delhi-59 during the period of parole. The said address of Hukum Singh i.e. H.No.B-88, Vikas Enclave, Gali No.9, Vikas Nagar, Uttam Nagar, New Delhi-59 has been verified where he would reside with the petitioner during the parole period.

7. In these circumstances, the present petition is allowed. The petitioner is directed to be released on parole for a period of **two months**, subject to :

- i) his furnishing personal bond with one local surety in the sum of **Rs.25,000/-** to the satisfaction of the Jail Superintendent;
- ii) he shall report at the local police station to mark his attendance on every Friday at 11:00 a.m. during the period of parole;
- iii) he shall duly surrender at the end of the period of parole;
- iv) at the time of his surrender, he shall submit proof of filing the Special Leave Petition before the Supreme Court, to the Jail Superintendent;
- v) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- vi) he shall also not indulge in any criminal activity during the period of parole.

Copy of this order be given dasti, as prayed.

A copy of this order be communicated to the Jail Superintendent concerned.

SANGITA DHINGRA SEHGAL, J

JULY 31, 2017/afa
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