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

+ W.P.(CRL) 1336/2017

RANBIR SINGH

..... Petitioner

Through Mr.Ashutosh Kaushik, Adv.

versus

STATE (GNCT OF DELHI)

..... Respondent

Through Mr. R.S. Kundu, ASC with
Mr.Bhagat Singh, Adv.
ASI Tej Ram PS Najafgarh.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.09.2017**

The petitioner is aggrieved by the order dated 21.04.2017 passed by the competent authority whereby his prayer for being released on parole has been rejected primarily on the ground that his conduct was reported to be unsatisfactory. The unsatisfactory report is because of the petitioner having been punished on 05.06.2016 for a jail offence.

Learned counsel for the petitioner has drawn the attention of this Court to the nominal roll which indicates that out of a sentence of 8 years, he has remained in jail for more than 6 years by now. It has further been submitted that the conduct of the petitioner has been shown to be unsatisfactory because of one punishment, which was given to him about a year back i.e. on 05.06.2016. He further submits that after the aforesaid sentence also, the petitioner was released on parole by an order of this Court

in the past and therefore such punishment ought not to be taken into account while deciding the present writ petition seeking parole.

It has also been urged that pursuant to the aforesaid punishment, the petitioner was prevented from meeting the visitors in jail and certain other limitations were put on him. Learned counsel for the petitioner, therefore, submits that not acceding to his request for parole because of the above noted punishment which was given to him a year ago, would amount to punishing him for a number of times for one offence.

The status report reveals that the address of the petitioner has been verified and has been found to be correct.

Taking into account the period of custody and the fact that the punishment was given to the petitioner only on 05.06.2016, i.e. an year ago, this Court is inclined to release the petitioner on parole for a specified period.

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.5,000/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned jail.

The petitioner shall, however, abide by the conditions listed below:-

- 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 himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Region of Delhi, without intimating the officer-in-charge of the concerned police station.
- d) He shall furnish his and his sureties' 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.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 13, 2017

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