

\$~34

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

+ W.P.(CRL) 1384/2017

RAJU @ TINKU

..... Petitioner

Through: Ms. Pallavi Sharma Kansal, Adv.

versus

STATE

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel  
(Cri.) for the State with Mr. Tushar  
Sannu, Adv.  
SI Suresh Kumar, P.S. Rajouri  
Garden

**CORAM:**

**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**ORDER**

%

**16.05.2017**

The petitioner has questioned the order dated 03.04.2017 passed by the competent authority whereby his representation for being released on parole for preferring SLP before the Supreme Court of India and for re-establishing social ties was not acceded to. The petitioner had not served prison for one year at that time which is a mandatory requirement for being released on parole. It was precisely for this reason that the competent authority did not accede to the request of the petitioner.

The nominal roll suggests that now, the petitioner has remained in jail for more than 4 years and his conduct in jail has been satisfactory throughout. The address of the petitioner and his conduct has been verified which has been found to be correct and good respectively.

Taking into account the aforesaid facts, specially, the requirement of any person to exercise his right of defence, 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.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:-

- 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 Territory of Delhi, without obtaining proper permission from the concerned SHO.
- 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 16, 2017/ns**