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

+ W.P.(CRL) 1410/2017

MAZHAR-UL-ISLAM ..... Petitioner

Through: Ms.Saahila Lamba, Adv.

versus

STATE ..... Respondent

Through: Mr.Archit Vashishtha, Adv. for  
Ms.Nandita Rao, ASC.  
SI K.P.Singh, P.S.Seelampur.

**CORAM:**

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

**ORDER**

% **01.08.2017**

The prayer of the petitioner for being released on parole was rejected by the competent authority on 31.03.2017 on the ground of his having jumped parole in the year 2012. The other ground which has weighed with the competent authority is the involvement of the petitioner in another case of the Arms Act in which he has been convicted.

Ms.Saahila Lamba, learned counsel appearing for the petitioner has drawn the attention of this Court to the nominal roll which indicates that the petitioner has remained in jail for about 11 years by now and has shown good conduct in jail for the last one year. The petitioner, of course had jumped parole and therefore his overall conduct was found to be unsatisfactory but ever since 2013, he has shown disciplined behaviour in jail. After the petitioner was rearrested, he was granted parole and furlough by the competent authority on a couple of occasions. It has further been

submitted that the same grounds could not have been taken by the competent authority for rejecting his prayer. The last time when the petitioner was released on furlough was from 09.12.2016 to 23.12.2016. Nothing untoward was reported during the aforesaid period. The petitioner has been also awarded a certificate of excellence in recognition and appreciation of his good work and contribution to prison administration by the Superintendent of the Central Jail No.2, Tihar, New Delhi.

The address of the petitioner stands verified.

Taking into account the aforesaid facts namely the period of custody which is about 11 years and his showing good behaviour in jail for the last one year, this Court is inclined to release him 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 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 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**

**AUGUST 01, 2017**

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