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

+ **W.P.(CRL) 1447/2017**

NAUSHAD

..... Petitioner

Through: Mr.Sunil Kumar Kalra, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.Rajesh Mahajan, ASC for the
State with Mr.Mohit Sharma,
Advocate

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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20.12.2017

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., Petitioner is seeking parole for a period of three months for medical treatment/operation of the petitioner.

2. Medical report in respect of the petitioner from the office of the Senior Medical Officer, Dispensary, Central Jail, Tihar, New Delhi has been received which is to the following effect:-

“..... The inmate-patient was reviewed on 31.10.2017 by department of Surgery, Lok Nayak Hospital and was advised medications. The inmate patient was last reviewed at department of surgery Lok Nayak Hospital on 14.11.17. The attending doctor advised medication and Radiological Investigation (Chest X-Ray and X-Ray Abdomen). All advised medications has been provided to the inmate patient and radiological investigations were completed. The inmate patient was then reviewed at department of Surgery Lok Nayak

Hospital on 21.11.17. The attending Surgeon advised appropriate medicines and advised to bath daily and maintain local hygiene. Dressing of wound was done and patient advised to follow up in 15 days. Accordingly, the patient was last reviewed at Lok Nayak Hospital by Senior Resident in Surgery OPD on 05.12.17, and advised pain relieving, anti emetic (anti vomiting) and antacid tablets along with smaller frequent meals....”

3. Learned counsel for the Petitioner submits that petitioner's condition has not improved much in the last 18 months and he is constrained to go to a good private hospital for his treatment. Thus, he prays for grant of parole to the Petitioner.

4. On behalf of State, it is submitted that keeping in view the medical condition of the petition Parole may be granted to the petitioner subject to such terms and conditions as deemed fit by this Court.

5. Considering the facts and circumstance of the case, the prayer of the petitioner for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of four weeks from the date of his release, on his furnishing personal bond in the sum of ₹ 10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:-

(i) The Petitioner shall keep the SHO, P.S. Welcome, Delhi informed about his place of residence in Delhi and his contact numbers i.e. mobile, landline or both. It would be open to the concerned SHO to verify the address and the contact numbers and to seek cancellation of parole in case it is found to be incorrect.

(ii) During the period of parole, the Petitioner shall remain in Delhi and he shall not cross the border/limits of NCT of Delhi.

(iii) During the period of parole, the petitioner shall not try to contact and

visit the residence of victim/witnesses in any manner for any reason whatsoever.

(iv) While submitting the bail bond, he will furnish to the Jail Superintendent the address of the place where he would reside in Delhi during the period of parole as well as the contact numbers.

6. It is, however, made clear that on expiry of the parole period, the Petitioner shall surrender before the concerned Jail Superintendent, who shall submit the surrender report to this Court.

7. Writ Petition stands allowed in the above terms.

8. The Petitioner be informed through the Jail Superintendent about the order passed.

Order *dasti*.

PRATIBHA RANI, J.

DECEMBER 20, 2017

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