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

+ W.P.(CRL) 1471/2017

RAKESH @ TONY

..... Petitioner

Through:Mr. S.K. Sathi, Advocate.

versus

STATE

..... Respondent

Through: Mr. Ashish Negi, Advocate for
Ms.Richa Kapoor, ASC for the State with SI
Ramesh Kumar, P.S. Sultanpuri, Delhi.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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12.09.2017

1. The petitioner has invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short "Cr.PC) for grant of Parole for a period of three months in order to enable him to re-establish and maintain social and family ties.
2. Fresh status report has been filed.
3. As per the status report, the petitioner has been facing trial in another case vide FIR No.209/2011 under Sections 302/34 IPC, PS S.P. Badli, Delhi and the next date of hearing before the trial court is 18.09.2017. However, the petitioner is on bail in the said case.
4. As per the nominal role, the petitioner was convicted by the learned ASJ, Delhi on 27.04.2013 under Sections 304 Part-I of IPC and he was sentenced to undergo Rigorous Imprisonment for a period of 10

years with fine of Rs.2000/-. The Crl. Appeal No.1431/2014 filed by the petitioner was decided by this court on 10.12.2014 and sentenced was modified to 10 years RI under Section 304 Part-I of IPC.

5. The petitioner was ordered to be released on parole by this Court vide order dated 27.04.2016 in W.P. (Crl.) 819 of 2016. Pursuant to this order, he remained on parole w.e.f. 25.05.2016 to 23.06.2016.
6. As per the nominal roll, the overall conduct of the petitioner is unsatisfactory and punishment was awarded by Jail Authorities on 17.04.2017. However, more than two years have elapsed after awarding of the punishment.
7. In the facts and circumstances of the case, the petitioner is released on parole for a period of four weeks from the date of his release on the following terms and conditions:-

(i) the petitioner shall furnish his personal bond in the sum of Rs.5,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent.

(ii) the petitioner shall maintain good conduct and behaviour during his release.

(iii) the petitioner shall provide mobile number of the surety to the SHO of the concerned Police Station, which shall be kept in active mode and shall not be changed without permission of the court.

(iv) the petitioner shall not leave the NCT of Delhi without the permission of this Court during this period.

(v) the petitioner shall report his presence to the concerned SHO on every Monday and Thursday.

(vi) on expiry of his period of release, the petitioner shall

surrender before the Jail Superintendent forthwith.

8. The petition is disposed of accordingly.
9. Copy of this order be sent to the Jail Superintendent for compliance.
10. Copy of this order be given *dasti*.

VINOD GOEL, J.

SEPTEMBER 12, 2017

"sandeep"