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

+ W.P.(CRL) 1525/2017

ROHIT @ MONA

..... Petitioner

Through: Mr. Sumeet Verma, Advocate.

versus

STATE

..... Respondent

Through: Mr. Sanjay Lao, ASC for State.
ASI Karam Singh.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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31.10.2017

The petitioner has challenged the order dated 19.04.2017 passed by the competent authority, whereby his prayer for being released on parole for preferring SLP before the Supreme Court of India and reconnecting social ties has been rejected primarily on the ground that the statutory period of six months had by that time not elapsed since the last date of the release of parole or furlough.

Mr. Sumeet Verma, learned advocate for the petitioner has submitted that more than six months have now passed thereafter and the petitioner is entitled for being released on parole. The nominal roll indicates that the petitioner has been convicted under Section 302/324 of IPC and has been sentenced to undergo rigorous imprisonment for life, to pay fine of Rs. 1,15,000/- and in default of payment of fine, to further suffer simple imprisonment for seven months.

The petitioner has remained in jail for about 6 years by now and has displayed satisfactory conduct except for one occasion on 01.12.2016 when he was punished for being in possession of prohibited article. The petitioner was also granted parole earlier by the order of this court from 17.02.2017 to 03.03.2017. At the end of the aforesaid period of parole, the petitioner had surrendered before the jail authorities. The assertion of the petitioner that he is required to file SLP before the Supreme Court of India has been verified and has found to be true. The SLP has not yet been filed on his behalf.

Taking into account the aforesaid fact that the petitioner is required to challenge his conviction before the Supreme Court of India, this court is inclined to release the petitioner on parole for a specified period. While saying so, this court has also taken into account the period of confinement of the petitioner.

The petitioner is directed to be released on parole for a period of four weeks, to be counted from the date of his release, on his furnishing of bond in the sum of Rs. 5,000/- with one surety of 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 end of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave the National Capital Region of Delhi, without intimating the officer-in-charge of the concerned police station.
- 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

OCTOBER 31, 2017
NC