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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1528/2017**
NANHE KHAN Petitioner
Through: Mr. M. L. Yadav, Advocate.

versus

STATE Respondent
Through: Mr. Avi Singh, ASC with Ms. Anya Singh,
Advocate with SI K. P. Singh, PS-Seelam
Pur.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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24.07.2017

The present petition has been filed by the petitioner inter alia praying for issuance of writ of mandamus granting parole to the petitioner for a period of three months for filing SLP before the Hon'ble Supreme Court of India.

Status report has been filed by the State.

Perusal of the nominal roll of the petitioner shows that he is undergoing a sentence of 7 years Rigorous Imprisonment for offence under Section 376 (2)(f)/511 IPC with fine of Rs.25,000/- in case FIR No.118/2012 under Section 376(2)(f)/511 IPC registered at PS – Seelam Pur.

The petitioner has already undergone 4 years 1 month and 24 days of incarceration and also earned remission of 4 months and 13 days as on 03.05.2017. The unexpired portion of the sentence is 2 years 5 months 23 days (IFP). The jail conduct of the petitioner has been found to be satisfactory.

The appeal preferred by the petitioner was dismissed vide order dated 07.12.2016 of this Court.

The status report filed by the State goes to show that the address provided by the petitioner has been got verified. The petitioner is stated to be a permanent resident of Delhi.

In these circumstances, the present petition is allowed. The petitioner is directed to be released on parole for a period of three weeks, subject to :

- i) his furnishing personal bond with one local surety in the sum of Rs.25,000/- to the satisfaction of the Jail Superintendent;
- ii) he shall report at the concerned local police station to mark his attendance on every Friday at 3:00 p.m. during the period of parole;
- iii) he shall provide his mobile number to the SHO of concerned police station;
- iv) he shall duly surrender at the end of the period of parole;
- v) at the time of his surrender, he shall submit proof of filing the Special Leave Petition before the Supreme Court, to the Jail Superintendant;
- vi) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- vii) he shall not approach the victim or her family members during the period of parole;
- viii) he shall also not indulge in any criminal activity during the period of parole.

Copy of this order be given dasti, as prayed.

A copy of this order be communicated to the Jail Superintendant concerned.

SANGITA DHINGRA SEHGAL, J

JULY 24, 2017 / gr