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

+ W.P.(CRL) 1655/2017

NAIM AHMED

..... Petitioner

Through Ms.Aishwarya Rao, Adv.

versus

STATE

..... Respondent

Through Mr.Ashish Aggarwal, ASC for State
with SI Surender Singh, PS Binda
Pur.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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29.05.2017

The present petition has been filed for the grant of parole.

During the course of arguments, it has been submitted that the parole application has been rejected on the ground that the convict has spent a short period of approximately 1 year and 1 month in jail and grounds for seeking parole are not compelling as the convict may file SLP from jail itself where facility of free legal aid is available to the prisoners.

During the course of arguments, learned ASC for the State has submitted that there is embargo of guidelines framed under the statute that furlough cannot be granted until and unless the period of one year is completed but there is no justification is shown that whether it can be used against the person who has already completed more than year in jail. In the present case, the petitioner has already spent more than

one year in jail.

Consequently, the impugned order dated 24.04.2017 is set aside and the competent authority is directed to decide the application for the grant of parole to the petitioner afresh within a period of four weeks.

The present petition is disposed of accordingly.

P.S.TEJI, J

MAY 29, 2017
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