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

+ W.P.(CRL) 1629/2017

SUNNY

..... Petitioner

Through: Mr.Ajit Sharma, Adv.

versus

STATE

..... Respondent

Through: Mr.Sanjay Lao, ASC.
SI Vipin Teotia, P.S.Kalyan Puri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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17.08.2017

The petitioner has questioned the order dated 19.04.2017 whereby his prayer for being released on parole for preferring SLP before the Supreme Court of India and for re-establishing social ties has been rejected. The competent authority was of the view that the release of the petitioner on parole would have a negative impact on the victim party/witnesses. It was also stated in the order that there is a strong apprehension of the petitioner jumping the parole bond.

Learned counsel appearing for the petitioner has drawn the attention of this Court to the nominal roll which indicates that the petitioner is in jail for more than six years by now and his overall conduct in jail has been satisfactory. As far as the presumption of the competent authority regarding the negative impact which might be caused in the minds of the victim and the witnesses is concerned, it has been submitted that the petitioner was on

regular bail under orders of this Court from 28.07.2015 to 02.11.2016. During this period, nothing adverse was reported against the petitioner. No sufficient reason appears to be available on record for rejecting the prayer of the petitioner.

Regard being had to the period of custody undergone by the petitioner and his overall good conduct in jail, this Court is inclined to release the petitioner on parole for a specified period.

Let the petitioner be released on parole for a period of four weeks, to be counted from the date of his release, on his furnishing a bond in the sum of Rs.5,000/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned jail.

The petitioner shall be required to follow the conditions listed below:-

- a) The petitioner shall surrender on or before the expiry of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Region, without informing the police in advance.
- 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

AUGUST 17, 2017

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