

\$~35

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

+ W.P.(CRL) 1735/2017

MAHIPAL SINGH

..... Petitioner

Through

Mr. M.L. Yadav with Mr. Narsingh
Narain, Advs.

versus

STATE

..... Respondent

Through

Mr. Piyush Singhal, Adv. for Mr.
Ashish Aggarwal, ASC
Inspector Rajeev Kumar, SOS/Crime
Branch

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

%

11.10.2017

The petitioner is aggrieved by the order dated 25.04.2017 passed by the competent authority whereby his prayer for being released on parole for finding a suitable match for his daughter and for maintaining social ties has been rejected. The rejection of the request was only on the ground that the petitioner had remained in jail only for about 1½ years and that there was no emergent circumstance for granting parole to him.

Learned counsel for the petitioner submits that he has been convicted under Sections 302, 330, 342 and 34 of the IPC and has been sentenced to undergo RI for life; to pay a fine of Rs.3,500/- and in default of which he was further directed to suffer SI for 3 years and 2 months. It has further been submitted that the petitioner has remained on bail from 28.04.2000 to

29.05.2000 by the order of this court which was further extended for a period of one month. The conduct of the petitioner has been satisfactory in jail. The nominal roll indicates that the petitioner has remained on regular bail w.e.f. 07.07.2000 to 20.03.2016, i.e. till the disposal of his appeal against the judgment and conviction.

Mr. Piyush Singhal, learned proxy to Mr. Ashish Aggarwal, Additional Standing Counsel, on instructions, submits that the address of the petitioner has been verified.

Considering the fact that the petitioner has remained in jail for more than 1½ years by now and has shown good conduct in jail, this Court is inclined to release the petitioner on parole for a period of four weeks from the date of his release.

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, however, abide by the conditions listed below :-

- a) The petitioner shall surrender before the jail authorities 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 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 11, 2017

ns