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

+ W.P.(CRL) 3005/2016

VINOD @ VINODI

..... Petitioner

Through Mr.Ajit Sharma, Adv. with
Mr.Mayank Agarwal, Adv.

versus

STATE

..... Respondent

Through Mr.R.S. Kundu, ASC for State with
SI Jasmer Singh, PS Jahangir Puri.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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19.07.2017

The petitioner has approached this Court by this writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for issuance of writ of certiorari quashing the order dated 14th September, 2016 bearing F.18/119/2016/HG/4827 passed by the respondent rejecting his request for releasing of parole and for issuance of writ in the nature of mandamus directing the respondent to release the petitioner for a period of three months.

Status report dated 11th November, 2016 is already on record.

It is submitted by the learned Additional Standing Counsel that the petitioner is a habitual offender. He was released on parole for one month from 29th April, 2015 to 29th May, 2015. He jumped the parole and was rearrested on 10th July, 2015.

In the nominal roll, it is reflected that his conduct has not been satisfactory as punishment was awarded to him on 26th April, 2014, 19th

April, 2014 and 10th July, 2015. It is also mentioned in the status report that even the mother of the petitioner does not want the release of the petitioner on parole.

Subsequently the mother of the petitioner Chandrawati has filed her affidavit on 14th July, 2017 to the effect that in case the petitioner is released on parole, he may reside in her House No.K-1889, Jahangir Puri, Shanjar Pur, N.S. Mandi, North West Delhi, Dehli-110033. She has also testified in her affidavit that she and her entire family are on good terms with the petitioner and she is willing to stand surety for the petitioner for the amount to be fixed by this Court. She stated that other family members are also willing to furnish the surety for the petitioner.

Incidents of jumping parole and punishment are of the year 2014 and 2015. These old incidents should not disentitle him to avail the parole in his venture to maintain social ties with the family members and join the mainstream.

In the facts and circumstances of the case, it is directed that the petitioner be released on parole for a period of one month from the date of his release, on the following conditions: -

(i) he shall furnish personal bond in the sum of Rs.4,000/- with one surety in the like amount subject to the satisfaction of concerned Jail Superintendent.

(ii) during his parole period, he shall report to the SHO, Police Station Jahangir Puri once a week i.e. on every Sunday.

(iii) the petitioner shall maintain peace and good behaviour during this period.

(iv) he shall remain present at the address mentioned by his

mother as above.

(v) on expiry of the period of parole, the petitioner shall surrender before the concerned Jail Superintendent.

The petition is disposed of.

VINOD GOEL, J.

JULY 19, 2017/jitender