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

+ **W.P.(CRL) 1838/2017**

SACHIN @ KAPIL

..... Petitioner

Through: Mr. Vikas Padora, Advocate with
Mr.Dipanshu Chugh, Advocate.

versus

STATE

..... Respondent

Through: Ms. Megha Bahl, Advocate for Mr. Ari
Singh, ASC (Criminal).

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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03.07.2017

Crl.M.A. 10183/2017 (exemption)

Exemption allowed subject to all just exception.

Application is disposed of.

W.P.(CRL) 1838/2017

Notice. Learned counsel for the State, who appears on an advance copy, accepts notice.

This is a petition under Article 226 of the Constitution of India impugning the order dated 21.04.2017 by which the request of the petitioner for release him on parole was declined by the Deputy Secretary (Home) on the ground that the convict is not entitled for parole in view of Para 11.5 of Parole/Furlough Guidelines, 2010 as minimum period of six months has not elapsed from the date of termination of the previous parole of the convict

which was last availed for 21 days up to 03.11.2016.

It is submitted that the petitioner was previously ordered to be released on parole by order dated 14.08.2015 of this court in Writ Petition (Crl.) No. 1739/2015. He was second time granted parole for a period of 21 days vide order dated 03.08.2016 in Writ Petition (Crl.) No. 2246/2016.

Admittedly, the petitioner has lastly been on parole up to 03.11.2016 and as per the Parole/Furlough Guidelines, 2010 a minimum of six months ought to have been elapsed from the date of termination of the previous parole.

Since the period of six months has already elapsed after the order dated 21.04.2017, the petitioner may approach the concerned authorities for his release on parole. If the petitioner moves any such request, the same shall be considered as per rules within 15 days of receipt of the request.

The petition is disposed of accordingly.

VINOD GOEL, J.

JULY 03, 2017

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