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

+ W.P.(CRL) 3040/2016 & CrI.M.A. No. 16305/2016

VIJAY @ SHANTI

..... Petitioner

Through: Mr. Sunil Mehta, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, ASC with Mr.
Siddarth Sindhu, Adv with SI Jagdeep
Malik

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

06.01.2017

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The petitioner has preferred the present petition to seek a direction that he be released on parole to enable him to provide specialised medical treatment to his mother who is stated to be a heart patient. It appears that the petitioner had earlier preferred W.P. (CrI.) No.2499/2015 for the same purpose which was allowed on 03.11.2015 on the ground that the petitioner wishes to assist his mother at the time when she is undergoing angiography.

Mr. Lao submits that the same ground has been taken once again. Learned counsel for the petitioner has pointed out that on the earlier occasion when he had been released on parole, the mother could not undergo angiography since the hospital, namely, RML Hospital was not cooperative and did not grant appointment for that purpose. He submits that, in any event, the petitioner is entitled to parole to reconnect social ties.

The nominal roll shows that the petitioner is undergoing a life

sentence in case FIR 90/2010 under Section 302 IPC registered at PS Geeta Colony. The appeal preferred by the petitioner was dismissed by this court on 08.09.2014. The petitioner has undergone 6 years 8 months and 21 days incarceration as on 29.12.2016. His jail conduct has been found to be satisfactory in the last over three years. He was inflicted a punishment in the year 2012-13. As noticed above, even thereafter he was granted parole on 03.11.2015.

In these circumstances, I am inclined to allow the present petition. Accordingly, the petitioner is directed to be released on parole for a period of four weeks subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.20,000/- to the satisfaction of the Jail Superintendent;
- ii) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- iii) he shall report at the local police station to mark his attendance on every Monday at 11:00 a.m. during the period of parole;
- iv) he shall duly surrender at the end of the period of parole; and
- v) he shall also not indulge in any criminal activity while on parole.

Dasti.

VIPIN SANGHI, J

JANUARY 06, 2017

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