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

+ W.P.(CRL) 1858/2017

JAGDISH NAUTIYAL

..... Petitioner

Through: Mr.Anurag Jain, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
for the State with SI Gautam, PS
CWC Nanak Pura.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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06.07.2017

1. This is a petition filed by the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking parole for a period of two weeks to appear in annual examination of Post Graduation in Yoga and Science of Living (Session 2016-2018) from 12th July, 2017 to 15th July, 2017.
2. Status report has been filed by the State.
3. Learned counsel for the Petitioner submits that the Petitioner is pursuing M.A. in Yoga and Science of Living through distance learning from Jain Vishva Bharati Institute, Ladnun, Rajasthan. Vide order dated 11th May, 2017 passed in W.P.(Crl.) No.1340/2017, the petitioner was also granted parole from 14.05.2017 to 15.06.2017 for attending one month training programme. He further submits that examinations are going to start from 12th July, 2017 till 19th July, 2017 and parole may be granted to the petitioner to enable him to prepare and appear in M.A. Examination.

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4. As per the averments made in the petition, the Post Graduation examinations of the petitioner are scheduled from 12th July, 2017 to 15th July, 2017. However, while making oral submissions in the Court since learned counsel for the petitioner has submitted that the examinations of the petitioner are scheduled from 12th July, 2017 to 19th July, 2017, it has been clarified from the learned counsel for the petitioner as to what is the actual/correct schedule of examination. The learned counsel for the petitioner has clarified that the Post Graduation examinations of the petitioner are scheduled from 12th July, 2017 to 15th July, 2017 and it will take one day to reach the examination centre.

5. Learned Standing Counsel for the State submits that factum of petitioner being the student of Post Graduation in Yoga and Science of Living (Session 2016-2018) and examinations to be starting from 12th July, 2017 has been duly verified.

6. Considering the facts and circumstances of the case and the ground on which the Petitioner is seeking parole i.e. to appear in examination of Post Graduation in Yoga and Science of Living (Session 2016-2018) from 12th July, 2017 to 15th July, 2017, the petitioner is granted parole w.e.f. 10th July, 2017 to 15th July, 2017 to enable him to appear in the examinations, on his furnishing personal bond in the sum of Rs.15,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent and subject to the conditions that during the period of parole, the Petitioner shall not try to contact the witnesses in any manner whatsoever.

7. The Petitioner is directed to surrender before the concerned Jail Superintendent on 16th July, 2017 by 5.00 pm, who shall submit the
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surrender report to this Court.

8. Writ Petition stands allowed in the above terms.
9. Copy of the order be given dasti to learned counsel for the Petitioner under the signature of Court Master.
10. A copy of this order be also sent to the concerned Jail Superintendent for information and compliance.

PRATIBHA RANI, J.

JULY 06, 2017/‘st’