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

+ W.P.(CRL) 1942/2017

LALA RAM

..... Petitioner

Through: Mr.Prabha Mishra with
Mr.Habibur Rahman and Mr.Tarun Khanna,
Adv.

versus

STATE

..... Respondent

Through: Mr.Sanjay Lao, ASC
SI Harkesh Meena, P.S. Tilak Marg.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.10.2017**

The petitioner has questioned the order dated 8.6.2017 passed by the competent authority whereby the prayer of the petitioner for being released on parole to re-establish social ties with his family members and society and to curb inner stress and depression, has been rejected. The rejection was primarily on the ground that the petitioner had not served the minimum of one year of imprisonment so as to take advantage of the provision regarding parole/furlough.

From the nominal role, it appears that the petitioner has been convicted under Sections 7, 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 along with Section 120-B of the Indian Penal Code, and has been sentenced to undergo rigorous imprisonment for 2½ years, fine of Rs. 15,000 and in default of payment of fine, simple

imprisonment for 15 days for the offence under Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988; rigorous imprisonment for two years, fine of Rs. 10,000 and in default of payment of fine, simple imprisonment for 15 days under Section 7 of the Prevention of Corruption Act, 1988, and rigorous imprisonment for one year, fine of Rs. 5,000 and in default of payment of fine, simple imprisonment for 7 days for the offence under Section 120-B of the Indian Penal Code. The sentences of the petitioner have been directed to run concurrently.

It further appears from the nominal roll that the petitioner has remained in jail for more than one year by now and has displayed satisfactory conduct.

Mr.Sanjay Lao, learned ASC on instructions submits that the address of the petitioner has been verified and has been found to be correct.

Taking into account the period of custody of the petitioner, the maximum quantum of sentence imposed upon him and his good conduct in jail, this Court is inclined to grant parole to the petitioner for a period of four weeks.

The petitioner is directed to be released on parole for 4 weeks, to be counted from the date of his release, on his furnishing bond in the sum of Rs. 10,000/- with one surety in 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 the 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 13, 2017

Bisht