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

+ W.P.(CRL) 1948/2017

CHINTU MALHOTRA @ CHIRAG Petitioner

Through: Mr.Dhan Mohan, Adv.

versus

STATE (GOVT OF NCT, DELHI) Respondent

Through: Mr.Ashish Negi, Adv. for Ms.Richa
Kapoor, ASC.

ASI Devender Kumar, P.S.Uttam
Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **17.10.2017**

The petitioner is aggrieved by the order dated 19.04.2017 passed by the competent authority whereby his prayer for being released on parole for re-establishing social ties and for the purpose of looking after his ailing father has been rejected.

Learned counsel for the petitioner has drawn the attention of this Court to the nominal roll which indicates that the petitioner has remained in jail for 16 years. In the past, the petitioner was granted parole and furlough by the orders of this Court as well as by the competent authority and the petitioner had promptly surrendered before the jail authorities except on one occasion in the year 2015, when he had jumped the furlough and was arrested on 20.12.2015.

The conduct of the petitioner has been shown to be satisfactory except for the punishment which was meted out to him for his having jumped the furlough in the year 2015.

Mr.Ashish Negi, learned proxy to Ms.Richa Kapoor, ASC on the strength of the status report, submits that address of the petitioner has been verified and has been found to be correct.

Taking into account the period of custody of the petitioner and his otherwise satisfactory conduct in jail, except for one punishment which was meted out to him in the year 2015, this Court is inclined to release the petitioner on parole.

Let the petitioner be released on parole for a period of four weeks, to be counted from the date of his release, on his furnishing a bond in the sum of Rs.5,000/- with one surety of 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 the National Capital Region of Delhi, without intimating the officer-in-charge of the concerned police station.
- d) He shall furnish his and his 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 17, 2017

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