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

+ **W.P.(CRL) 3568/2016**

MANOJ KUMAR Petitioner
Through: Mr.Ashutosh Kaushik, Adv.

versus

STATE Respondent
Through: Mr.Rajesh Mahajan, ASC.
SI Jagdish, P.S.Burari.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

% **ORDER**
02.05.2017

Crl.M.A.19465/2017

Allowed, subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 3568/2016

The petitioner questions the correctness of the order dated 07.11.2016 passed by the competent authority whereby his prayer for being released on parole has been rejected.

The petitioner had represented for grant of parole for preferring SLP before the Supreme Court of India; for arranging finances for the same and for re-establishing social ties with his family and relatives. The competent authority did not find the aforesaid grounds to be good grounds for the petitioner to be released on parole. Adverse police report and the possibility of the petitioner committing crime or jumping bonds weighed with the

competent authority in rejecting his prayer. The nominal roll of the petitioner reflects that he has remained in jail for about three years. He stands convicted for offences under Sections 380/452 and 398 of the IPC and has been sentenced to undergo RI for 7 years, to pay a fine of Rs.5000/- and in default of payment of fine, to suffer simple imprisonment for 21 days. There is another case against the petitioner in which the petitioner has been sentenced for the period which he has already undergone and a fine of Rs.200/-, which was paid.

Considering the fact that the overall jail conduct of the petitioner has been satisfactory and that the petitioner is required to file SLP before the Supreme Court of India, this Court is inclined to release the petitioner on parole for a specified period.

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.10,000/- with one surety of the like amount to the satisfaction of the Superintendent of the concerned jail.

The petitioner shall be required to follow the conditions enumerated 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.
- 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

MAY 02, 2017

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