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

+ **W.P.(CRL) 2107/2017**

VISHWAJEET DASS @ NIRMAL DASS Petitioner

Through **Mr.Sunil K. Kalra, Adv.**

versus

STATE (GOVT OF NCT DELHI) Respondent

Through **Mr.Rahul Mehra, Standing counsel
with Mr.Jamal Akhtar, Adv.
SI Ajeet Kumar PS C.R. Park.**

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% 16.08.2017

The petitioner had made a request before the competent authority for being released on parole for attending to his son who had met with an accident and for reconnecting social ties. The aforesaid request was rejected vide order dated 14.08.2017.

A copy of the order passed by the competent authority has been brought on record by Mr.Rahul Mehra, learned standing counsel.

From the nominal roll, it appears that the petitioner has been in custody for about 17 years by now and that in the past, he has never been released either on parole or furlough. It has, however, been pointed out that the conduct of the petitioner in jail has been far from satisfactory. He has been punished several times. In the year 2016, he was punished on three occasions and the last sentence was awarded to him on 17.11.2016.

However, the details of the punishments which have been provided as Annexure 'A' to the nominal roll indicate that most of the offences were for keeping prohibited articles in jail and fighting with fellow inmates. On the last occasion only, punishment was awarded for having misbehaved with the officer on-duty.

Taking into account the long period of custody of the petitioner, this Court is of the view that he needs to be released for some time for reconnecting his social ties. Perhaps his long incarceration has only led to his bad behaviour in jail.

Taking into account the aforesaid facts, 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.5,000/- with one surety in 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, without informing the police in advance.
- 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.

Dasti.

ASHUTOSH KUMAR, J

AUGUST 16, 2017
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