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

+ W.P.(CRL) 3649/2016

AJAY PATHAK

..... Petitioner

Through: Mr. Ajit Sharma, Advocate.

versus

STATE

..... Respondent

Through: Mr. Ananya Mohan, Advocate for
Mr.Avi Singh, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

20.01.2017

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The petitioner has preferred this petition to seek parole on the ground that his sister is getting married from 30.01.2017 onwards. The said fact has been verified by the State.

The nominal roll shows that the petitioner is undergoing sentence of 7 years rigorous imprisonment in respect of the offence under Section 304B IPC, apart from undergoing sentence of 2 years rigorous imprisonment in respect of the offence under section 498A IPC in case arising out of FIR No.236/2009 under Section 498A/ 304B/ 34 IPC registered at PS – Dabri. The petitioner has already undergone over five years of incarceration. His jail conduct has been found to be satisfactory. The petitioner was lastly

released on furlough between 16.08.2016 and 31.08.2016 for a period of two weeks.

Considering the fact that the marriage of the petitioner's sister has been fixed, I am inclined to allow the present petition. Accordingly, the petitioner is directed to be released on parole for a period of four weeks subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent;
- ii) he shall provide his mobile phone number to the Jail Superintendent at the time of his release, which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the Jail Superintendent;
- iii) he shall report at the local police station to mark his attendance on every Monday at 11:00 a.m. during the period of parole;
- iv) he shall duly surrender at the end of the period of parole; and
- v) he shall also not indulge in any criminal activity while on parole.

VIPIN SANGHI, J

JANUARY 20, 2017

B.S. Rohella