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

+ **W.P.(CRL) 2177/2017**

AZIM KHAN

..... Petitioner

Through: **Mr.M.K.Mishra, Adv.**

versus

STATE OF NCT OF DELHI

..... Respondent

Through: **Mr.Sanjay Lao, ASC.
SI Vijay, P.S.Burari.**

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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02.11.2017

Crl.M.A.14914/2017 (preponement)

For the reasons stated in the application, the prayer for giving an early hearing to W.P(Crl) 2177/2017 is allowed.

The writ petition shall be heard today.

The earlier date of 01.12.2017 is hereby cancelled.

W.P.(CRL) 2177/2017

The petitioner is aggrieved by the order dated 05.06.2017 passed by the competent authority whereby his request for being released on parole for getting his daughter admitted in a private school and for re-establishing social ties has been rejected on the ground that minimum of six months had not elapsed by that time from the date of termination of the previous parole which was from 27.01.2017 to 27.02.2017.

Learned counsel for the petitioner has submitted that now more than

six months have passed after the end of the period of parole referred to above. It has also been pointed out from the nominal roll that the petitioner by now has remained in jail for about five years and has shown good conduct except for one occasion when he surrendered four days late after the expiry of the period of parole granted by this Court.

It further appears that except for 10 days of interim bail in the year 2015 and parole for one month from 27.01.2017 to 27.02.2017, the petitioner has not been released from jail either on furlough or parole.

Taking into account the period of confinement of the petitioner in custody, this Court is inclined to release him on parole for a period of four weeks.

The petitioner is directed to be released on parole for a period of four weeks, to be counted from the date of his release, on his furnishing bond in the sum of Rs.5,000/- 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 his sureties' 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

NOVEMBER 02, 2017

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