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

+ W.P.(CRL) 2348/2017

SUNIL @ BABU

..... Petitioner

Through

Mr. Ankur Sood with Ms. Romila
Mandal, Advs.

versus

STATE

..... Respondent

Through

Ms.Nandita Rao, A.S.C. for the State
SI Jasmer Singh, P.S.Jahangir Puri

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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21.08.2017

The request of the petitioner for being released on parole for maintaining social ties and to curb inner stress and depression was rejected by the competent authority vide order dated 17.07.2017. The fact that the petitioner was punished twice i.e. on 06.06.2016 and 10.09.2016, weighed with the competent authority in rejecting his prayer for release on parole. The petitioner had, on an earlier occasion, jumped the parole and was arrested on 10.09.2016.

Learned counsel for the petitioner has drawn the attention of this court to the nominal roll which indicates that the petitioner has been convicted under Sections 302/34 of the IPC and has been sentenced to undergo RI for life. The petitioner has remained in jail for more than 6 years. In the past, he was released on parole once from 18.08.2015 to 18.09.2015 by the order of this Court and thereafter for 15 days under the orders of the government

w.e.f. 24.08.2016 to 29.09.2016. So far as the conduct of the petitioner is concerned, in the year 2016, he was punished twice for minor jail offences.

Learned counsel for the petitioner submits that the petitioner, because of some unavoidable circumstances, delayed his surrender before the Court. It is stated that the petitioner had a fight with his brother, who stays in his neighbourhood, leading to the registration of the case which prevented the petitioner from surrendering on the date when the period of parole expired. However, there is no other material warranting the rejection of the request of the petitioner to be released on parole.

Ms.Nandita Rao, learned ASC appearing for the State with reference to the status report which has been filed today and has been taken on record submits that the address of the petitioner has been verified.

Taking into consideration, the period of custody of the petitioner and the requirement to reconnect social times, this Court is inclined to release the petitioner on parole for a specified period.

Let the petitioner be released on parole for 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 be required to follow the conditions listed below:-

- e) The petitioner shall surrender on or before the expiry of the said period of parole.
- f) The petitioner shall not engage himself in any unlawful activity.
- g) The petitioner would not leave, the National Capital Region without informing in advance the SHO of the concerned police station.

h) 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

AUGUST 21, 2017

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