

\$~34

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

+ W.P.(CRL) 2438/2017

MOHD SHAKEEL

..... Petitioner

Through: Mr.S.N.Pandey with Ms.Himanshi, Adv.

versus

THE STATE GNCT OF DELHI

..... Respondent

Through:Ms.Nandita Rao, ASC

SI Naresh Kumar, P.S. Kamla Market.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

%

10.10.2017

The petitioner had made an application before the competent authority for being released on parole but the aforesaid application has not yet been responded by the competent authority.

The petitioner has been convicted under Section 279/304A IPC and has been sentenced to undergo SI for six months for the offence under Section 279 and SI for 1 year and 6 months for the offence under Section 304A of the IPC. Both the offences have been directed to run concurrently.

It has been submitted on behalf of the petitioner that he has also served the major part of the sentence and has remained in jail for about 12 months by now, which does not include the remissions. He further submits that his conduct in jail has been satisfactory throughout.

Ms.Nandita Rao, learned Addl. Standing Counsel for the State, on instructions, submits that the address of the petitioner has been verified.

Considering the facts that the petitioner has remained in jail for more than one year and has actually served the substantial portion of the sentence imposed upon him and has displayed good conduct in jail, this Court is inclined to release the petitioner on parole for a period of four weeks. While saying so, this Court has also taken into account the submission that the petitioner is not keeping good health and wants treatment by a private doctor.

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.

Dasti.

ASHUTOSH KUMAR, J

OCTOBER 10, 2017

Bisht