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

+ W.P.(CRL) 2632/2017

TULSI RAM Petitioner
Through: Mr.O.P.Saxena, Adv.

versus

STATE Respondent
Through: Mr.R.S.Kundu, ASC.
Insp.Shyoram, P.S.Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **09.11.2017**

The request of the petitioner for being released on parole for preferring SLP before the Supreme Court of India and for re-establishing social ties has been rejected on 08.08.2017.

The competent authority, while rejecting the prayer of the petitioner, was of the view that the release of the petitioner would adversely affect the law and order situation in the area and that there is also an apprehension that the petitioner may jump the parole.

Learned counsel for the petitioner has indicated from the nominal roll that the petitioner has remained in jail for more than four years and has displayed satisfactory conduct. He further submits that there is no reasonable ground for the competent authority to come to the conclusion that the petitioner, in case of his being released on parole, would jump the parole bond.

The petitioner has been convicted under Section 302 IPC and has been sentenced to undergo RI for life, to pay a fine of Rs.10,000/- and in

default of payment of fine, to suffer SI for one year.

The petitioner is a resident of Basti which falls in the State of Uttar Pradesh. Mr.R.S.Kundu, ASC has informed this Court that the address of the petitioner has been verified and is found to be correct and existing but the petitioner does not have any local address in Delhi.

However, taking into account the good conduct having been displayed by the petitioner in jail for about four years by now, this Court is inclined to release the petitioner on parole for a specified period.

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 of bond in the sum of Rs. 10,000/- with one surety which would be his father of 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 end of the said period of parole.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave the National Capital Region of Delhi, without intimating the officer-in-charge of the concerned police station.
- 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.
- e) The petitioner shall get his presence marked every week by the SHO of the police station under which territorial jurisdiction, his village falls, preferably on Mondays at 11.00 AM.

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/directions, the petition is disposed of.

The order be communicated to the Superintendent of the concerned jail for compliance and record.

ASHUTOSH KUMAR, J

NOVEMBER 09, 2017

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