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

+ W.P.(CRL) 2630/2017

KARAN SINGH

..... Petitioner

Through Mr.Nitish Chaudhary, Adv. with
Mr.Chetan Lokur, Adv.

versus

STATE

..... Respondent

Through Ms.Nandita Rao, ASC for Ms.Kamna
Vohra, ASC.
SI Saurabh Kumar PS Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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13.09.2017

The petitioner has questioned the order dated 24.08.2017 passed by the competent authority whereby his prayer for being released on parole for the purposes of filing SLP before the Supreme Court of India and to maintain social ties has been rejected.

The rejection is primarily on the ground that the reason for which parole has been sought is not compelling and the petitioner could file SLP from the jail where free legal aid is available.

Learned counsel for the petitioner submits that as of now, he has remained in jail for about 9 years and his overall conduct in jail has been satisfactory. However, the nominal roll indicates that in 2015 and 2016, the petitioner was given punishment for jail offences. It has been stated on behalf of the petitioner that though the provision for free legal aid in jail is

available but then the petitioner would only be satisfied if he engages a lawyer of his own choice.

Times without number, this Court has held that the right to pursue legal remedies, which is a statutory right, would be emasculated of its sweep and dimension if the choice of engaging a lawyer is not provided to the accused.

Ms.Nandita Rao, ASC, on the strength of a status report, submits that the address given by the petitioner in the present petition has been verified and has been found to be correct.

Considering the aforesaid facts, this Court is inclined to release the petitioner on parole for a specified period.

Let the petitioner be released on parole for a period of 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, however, abide by the conditions listed below:-

- i) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- j) The petitioner shall not engage himself in any unlawful activity.
- k) 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.
- l) 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

SEPTEMBER 13, 2017

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