

\$~37

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

+ W.P.(CRL) 2631/2017

TARA CHAND

..... Petitioner

Through Mr.Ankur Sood, Adv. with
Ms.Romila Mandal, Adv.

versus

STATE

..... Respondent

Through Ms.Richa Kapoor, ASC.
SI Narender Kumar PS Prasad Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.09.2017**

The petitioner has challenged the order dated 02.08.2017 whereby the competent authority has rejected the prayer for grant of parole for filing SLP before the Supreme Court of India and for maintaining social ties, as the petitioner had not served for at least one year imprisonment, for him to avail of the aforesaid privilege.

Learned counsel for the petitioner has drawn the attention of this Court to the nominal roll which indicates that, now, the petitioner has remained in jail for more than one year and that his conduct in jail has also been satisfactory.

The petitioner was convicted for the offence under section 304 IPC and has been sentenced to undergo RI for 2 years, to pay a fine of Rs.10,000/- and in default of payment of fine, to further suffer SI for six

months.

Ms. Richa Kapoor, ASC, on the strength of status report, submits that the address of the petitioner has been verified.

Considering the nature of accusation, quantum of sentence imposed upon the petitioner, period of custody and his satisfactory conduct in jail, 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:-

- m) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of parole.
- n) The petitioner shall not engage himself in any unlawful activity.
- o) 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.
- p) 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.

SEPTEMBER 13, 2017/ab

ASHUTOSH KUMAR, J