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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3151/2017 & CRL.M.A. 18614/2017**
SANDEEP KUMAR

..... Petitioner

Through: Mr. Vikas Walia, Advocate.

Versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao, ASC (Crl.) for
State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **04.12.2017**

CRL.M.A. 18613/2017

Allowed, subject to all just exceptions.

The application stands disposed off.

W.P.(CRL) 3151/2017

The petitioner had been sentenced to undergo Rigorous Imprisonment of 7½ years. He has already served 6 years 1 month 25 days and has been granted remission of 1 year. The remaining period to be served in sentence is approximately four months and three days as of 02.12.2017. The petitioner had surrendered before the jail.

He seeks a month's parole for filing an SLP against his conviction. According to the Status Report filed by the SHO, Police Station, Bharat Nagar, it has been verified that the petitioner's father, who is handicapped, owns and runs a grocery shop by which he supports his family. Monthly income therefrom is as meagre as Rs. 7,000/-. The Petitioner's 13 year old

son and 11 year old daughter are presently living with their grandparents.

A convict has a right to pursue his legal remedies and to seek parole for exercising such rights for instance filing an SLP against his conviction.

In the aforesaid circumstances and for the purpose of filing an SLP as well as for the maintenance of social ties, a case for grant of parole is made out.

Consequently, the petitioner is enlarged on parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent concerned, subject to the following conditions:-

- (1) The petitioner shall report to the SHO concerned, Police Station Bharat Nagar, Delhi, once a week on every Tuesday during the period of parole;
- (2) the petitioner shall furnish his mobile telephone number to be kept operational at all times, to the SHO concerned; and
- (3) the petitioner shall surrender before the jail authorities at the expiry of the period of parole.

With the above directions the writ petition is disposed off.

A copy of this order be given *dasti* to the learned counsel for the parties under signature of the Court Master.

NAJMI WAZIRI, J.

DECEMBER 04, 2017

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