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

+ **W.P.(CRL) 3226/2017**

KAILASH WATI

..... Petitioner

Represented by: **Mr. Altin Shankar Rastogi,**
Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Ms. Richa Kapoor, Additional**
Standing Counsel for State with
Inspector Pramod Anand and
SI Kishore Kumar, PS Patel
Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **01.12.2017**

Crl. M.A. No. 19469/2017 (Delay of 1 day in surrendering)

1. By this application the petitioner seeks condonation of delay of one day in surrendering. The petitioner was granted parole for a period of one month by this Court vide order dated 12th October, 2017. However, while releasing the petitioner in the papers supplied to him from the office of the Superintendent, Central Jail the surrender date was noted as 19th November, 2017 and not 17th November, 2017. Thus the petitioner was under the bonafide belief that she had to surrender on 19th November, 2017.

2. Since the petitioner had undergone a surgery and was on bed rest, the petitioner filed W.P. (Crl) No. 3226/2017 for extension of bail on 13th November, 2017 in which due to defect it could not be listed and was listed

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only on 20th November, 2017 when this Court renotified the same for today, that is, 1st December, 2017.

3. Considering the explanation rendered by the petitioner and also the fact that vide order dated 27th November, 2017 this Court extended the parole granted to the petitioner vide order dated 12th October, 2017, till today on the same terms and conditions non-surrender of the petitioner before the Tihar Jail on 19th November, 2017 is condoned.

4. Application is disposed of.

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1. By this petition the petitioner seeks extension of parole for a period of four months granted to her vide order dated 12th October, 2017.

2. Status report has been handed over which is taken on record.

3. The petitioner had a history of fall inside the jail while walking and was an old operated case of intertrochanteric femur right side (DCS fixation) with failed implant resulting in further surgery of the petitioner for removal of DCS and revision of Bipolar hip hemiarthroplasty.

4. Considering the surgery of the petitioner which was conducted while she was in custody itself and the fact that the doctor has advised her strict bed rest for three months and a regular follow up for the next three to six weeks, this Court deems it fit to extend the parole to the petitioner for a period of three months from today.

5. Consequently, the writ petition is disposed of extending the period to the period for a period of three months from today on personal bond and the surety bond already submitted to the satisfaction of the Superintendent Tihar

Jail pursuant to order dated 12th October, 2017. In view of the condition of the petitioner, the conditions imposed on the petitioner vide clauses (iv) and (v) in para-5 of the order dated 12th October, 2017 are discontinued.

6. Order dasti.

MUKTA GUPTA, J.

DECEMBER 01, 2017
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