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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 41/2018**
PUSHPENDRA

..... Petitioner
Through Mr.Pramod Kumar Dubey and
Ms.Namita Wali, Advocates.

versus

STATE

..... Respondent
Through Mr.Rahul Mehra, Standing Counsel
with Mr.Jamal Akhtar, Adv. for State.
ASI Tulsi Ram from Police station
Badarpur.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR
ORDER
% **08.01.2018**

Petitioner is seeking parole for the reasons mentioned in the petition. One reason is that he wishes to repair his house and the second is that he wants to reconnect himself with the society and establish his roots in the society. The Competent Authority has rejected his plea on the ground that there is apprehension that the convict may create a law and order situation in the State where he is living (U.P.). He has recently availed of furlough. The last furlough availed of by the convict was between 07.10.2017 to 21.10.2017.

On advance notice, learned counsel for the State has put in appearance. Status report has been filed. The apprehension that the

convict may create a law and order situation appears to be ill-founded as how this apprehension has been borne out is not available either in the rejection order or the status report filed by the State.

Noting the conduct of the petitioner and the fact that he has earlier availed both parole and furlough and he has not misused the same and the fact that the petitioner is a convict who has been incarcerated for 10 years and he has undergone more than 8 years, this is a fit case where the prayer of the petitioner should be considered. The prayer made by the petitioner is allowed. Accordingly, the petitioner be released on parole for a period of three weeks to be counted from the date of his release on his furnishing a personal bond in the sum of Rs.5000/- with one surety of like amount subject to the satisfaction of Jail Superintendant concerned with condition that the petitioner shall not create any law and order situation in the State where he is staying or otherwise. He shall report to the local SHO on every Monday of each week and surrender immediately himself to the Jail on the expiry of the aforementioned parole period of three weeks. He will give his contact number as also his latest residential address to the Investigating Officer.

Petition disposed of.

A copy of the order be sent to Jail Superintendant concerned for intimation to the petitioner.

INDERMEET KAUR, J

JANUARY 08, 2018

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