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

+ **W.P.(CRL) 150/2018**

SHIV SAGAR NAIK

..... Petitioner

Through : Ms.Romila Mandal, proxy counsel for Mr.Ankur
Sood, Advocate.

versus

STATE

..... Respondent

Through : Mr.Rahul Mehra, Standing Counsel with Mr.Jamal
Akhtar, Advocate.

Mr.Nikhil Goel, Advocate with Mr.Gurpreet Hora &
Mr.Ashutosh Ghade, Advocates for CBI.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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28.02.2018

1. The instant writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. has been filed on behalf of the petitioner for seeking parole for a period of three months.

2. Nominal Roll dated 06.01.2018 reveals that the petitioner was convicted under Sections 120B/420/468 IPC and Section 13(2) read with Section 13(1)(D) of PC Act and was sentenced to undergo RI for three years with total fine ₹1.10 lac. CrI.A. 342/2016 was disposed of by this Court on 05.09.2017. Nominal Roll further reveals that the petitioner has already undergone two years, two months and three days incarceration besides remission for six months and one day as on

02.01.2018. It further reveals that he is not involved in any other criminal case and is not a previous convict. His overall jail conduct is satisfactory. He has not availed any interim bail or parole during his detention.

3. The petitioner along with Hayat Singh, Y.P.Sharma and Jai Kumar are co-accused. As per guidelines, all the co-convicts are not to be released simultaneously.

4. Learned counsel for the petitioner in the present case and the other have no objection if the convicts are ordered to be released at different stages.

5. Accordingly, the petitioner in the present petition and the others shall avail the parole not simultaneously but at different stages from the date of release.

6. In the interest of justice and for the reasons mentioned in the writ petition, the petitioner is granted two weeks parole from the date of his release, on his furnishing personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the Trial Court. After completion of parole period, the petitioner shall surrender before the Jail Superintendent.

7. Writ petition stands disposed of in the above terms.

S.P.GARG, J.

FEBRUARY 28, 2018 / tr