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

+ **W.P.(CRL) 151/2018**

Y P SHARMA

..... Petitioner

Through : Ms.Sunita Arora, 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/403/409 IPC and Sections 13(1)(D)/13(2) of PC Act and was sentenced to undergo RI for seven years with total fine ₹2.01 lacs. CrI.A. 323/2016 was dismissed by this Court on 05.09.2017. Nominal Roll further reveals that the petitioner has already undergone two years and eighteen days incarceration besides remission for six months and sixteen days 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. Earlier he was granted interim bail and there are no allegation of its misuse.

3. The petitioner along with Hayat Singh, Shiv Sagar Naik 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 three 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