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

+ **W.P.(CRL) 258/2018**

MOHD. ISHTAR @ ISTAK

..... Petitioner

Represented by: Ms. Rakhi Dubey, Adv.

versus

STATE

..... Respondent

Represented by: Ms. Jyoti Babbar, proxy for
Mr. Rajesh Mahajan, ASC with
SI Naveen PS Kanjhawala.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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21.02.2018

By this petition the petitioner seeks parole to file the special leave petition.

The petitioner had earlier applied to the competent authority for grant of parole on the ground that he has to file special leave petition before Supreme Court of India and re-establish social ties which was declined vide communication dated 27th December, 2017 on the ground that there is an apprehension of an adverse impact on law and order situation and the petitioner may jump the parole.

On a notice being issued a status report has been filed. As per the status report the address of the petitioner i.e. C-485, Meer Vihar, Madanpur Dabas, Delhi has been verified. At the said address the petitioner with his wife, younger brother and children besides the son of the petitioner aged 14 years were found to be living. The wife and parents of the petitioner are

W.P.(CRL) 258/2018

page 1 of 2

living at their native place in Village Lova Lagan, PS Chausa, District Madhepura, Bihar. The prosecutrix was not found living at the address given and appears to have gone to her native place.

As per the nominal roll the petitioner has been in continuous incarceration since 2nd August, 2011 till date. The unexpired portion of the sentence of the appellant is nearly 2 years 5 months if fine is paid.

Considering the fact that the petitioner has roots in the society and that he has to prefer a special leave petition before the Supreme Court, this Court deems it fit to grant parole to the petitioner. It is therefore directed that the petitioner be released on parole for a period of four weeks on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the learned Trial Court/ CMM concerned.

Petition is disposed of.

Copy of this order be communicated to the petitioner through Superintendent Tihar Jail.

MUKTA GUPTA, J.

FEBRUARY 21, 2018
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