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

+ **W.P.(CRL) 492/2018**

SATYA MURTI @ SATTI

..... Petitioner

Represented by: Ms. Neha Kapoor, Advocate.

Versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: Mr. Shashank Vachher,
Advocate for Mr. Avi Singh,
ASC for the State with Insp.
Yogeshwar Singh, PS Kalkaji.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **03.04.2018**

Crl.M.A. No. 2915/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioner challenges the communication dated 21st November, 2017 rejecting the application of the petitioner for grant of parole to provide proper medical treatment to his old mother aged 72 years who was suffering from Cataract and advised surgery. The reason for rejection by the competent authority was that the petitioner had earlier jumped parole on 25th January, 2013, was re-arrested on 17th February, 2013 and there was no compelling/emergent reason to grant parole.

2. According to the learned counsel for the State a status report was handed over in Court on the last date which is not on record. Copy of the same has been handed over to this Court. As per the status report at the time of verification the mother of the petitioner was not found at her address in

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Sudhar Camp and was reportedly living with her daughter in Tamil Nadu. Thus this Court vide order dated 16th February, 2018 directed to conduct the necessary verification on receipt of address of the sister of the petitioner.

3. A status report has been handed over today in Court which is taken on record. As per the status report sister of the petitioner was found residing at 93/97 Kalayarmangalam, Keelammangalam, Shivganga, Tamilnadu where the mother of the petitioner was also found residing.

4. No document relating to the treatment of the mother of the petitioner for Cataract was produced and two papers of Govt. Sivagangai Medical College Hospital were produced with regard to the medical examination done on 27th September, 2017. The documents nowhere suggest surgery.

5. Be that as it may this application seeking parole for getting the surgery of the cataract of the mother of the petitioner was sent through jail by the petitioner on 27th September, 2017. As per the latest nominal roll after September, 2017, the petitioner was granted furlough for a period of three weeks by the DG prisons w.e.f 13th December, 2017. Having availed furlough for a period of three weeks the petitioner could if required have got the surgery of his mother performed during the said period. Thus this Court finds no ground to interfere in the communication dated 21st November, 2017 passed by the Government or grant of parole to the petitioner.

6. Petition is dismissed.

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

MUKTA GUPTA, J.

**APRIL 03, 2018/‘yo’
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