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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 516/2018**
NAWAB SINGH

..... Petitioner

Through Mr.Saurabh Soni, Advocate.

versus

STATE

..... Respondent

Through Ms.Kamna Vohra, ASC for
Ms.Nandita Rao, ASC for the State
along with SI Pramod Kumar.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **19.02.2018**

Petitioner is seeking parole for the reasons mentioned in the petition. One of such reasons is that he wishes to file an SLP against the dismissal of his appeal on 14.11.2017. If he is not granted parole at this stage he would be difficult for him to prefer an SLP and it would be time barred.

Learned counsel for the State points out that although the petitioner has already incarcerated for 12 years as an under-trial yet after his conviction he has been incarcerated only for a period of 10 months and 5 days which is falling short of the 12 months period which is essential incarceration before a parole can be considered. This submission is negative by the learned counsel for the petitioner. His submission is that in similar circumstances other Benches of this

Court have granted parole to the petitioners. The guidelines relied upon by the learned counsel for the State is only a guideline and it is not binding upon this Court.

This Court notes the reasons for which the parole is being sought before this Court. Keeping in view the facts and circumstances and noting that the petitioner has already suffered incarceration of more than 13½ years and his SLP most likely to be time barred if he is not granted parole at this stage, it would be a fit case where the petitioner should be granted parole. Accordingly, petitioner be released on parole for a period of four weeks (to be counted from the date of his release) on his furnishing a personal bond in the sum of Rs.10,000/- with one surety of like amount to the satisfaction of the Jail Superintendant with condition that the petitioner shall surrender himself to the Jail immediately on the expiry of the aforementioned parole period of four weeks. He shall report to the local SHO on every Monday of each week. He shall also furnish his latest mobile number and residential address to the local SHO.

Petition disposed of in the above terms.

A copy of this petition be sent to the Jail Superintendant concerned.

INDERMEET KAUR, J

FEBRUARY 19, 2018

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