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

+ LPA 80/2018 & CM APPL.8215/2018

SHAKIL @ BHOLA

..... Appellant

Through: Ms.Neha Kapoor, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
(Crl) with Mr.Jamal Akhtar,
Mr.Chaitanya Gosain and
Mr.Prashant Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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01.03.2018

The appeal is directed against the order which upheld the declining of parole requested by the appellant.

The impugned order noted that the appellant, a convict undergoing life sentence, had applied for parole on the ground of his mother's imminent surgery. The surgery could not be conducted as per schedule i.e. 12.02.2018. He, therefore, requested for extension of the parole which was denied.

The Ld. Single Judge noticed that the medical documents produced in support of the petition disclosed that no fixed date has been given for surgery but rather review is scheduled now on 06.03.2018 by the doctor.

The Court has considered the submissions of the parties. Although the original purpose for which the appellant had sought parole could not mature, there is absolutely no infirmity in the order of the Single Judge. Ld. Single Judge merely declined to extend the parole. At the same time, this Court is of the view that in case the date for surgery is fixed, the appellant should be enabled and accordingly, he is at liberty to seek parole, which shall be considered reasonably by the authorities. In the event of an adverse order, it is open to the appellant to apply in the disposed of W.P(Crl) 630/2018 by moving an application for appropriate orders.

The appeal is disposed of in the above terms. All the pending applications also stand disposed of.

Order *dasti*.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MARCH 01, 2018

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