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

+ W.P.(CRL) 938/2018

RAMESH CHAND

..... Petitioner

Through : Mr.Nitesh Gupta, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through : Mr.Ashish Negi with Ms.Shikha Mehra,
counsel for Ms.Richa Kapoor, ASC.
Insp.S.D.Sharma, PS Crime Branch.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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17.05.2018

1. The present petition under Article 226 read with Section 482 Cr.P.C. has been filed by the petitioner to release on parole in terms of the order dated 22.03.2018. Status report filed.
2. I have heard the learned counsel for the parties and have examined the file.
3. Nominal roll dated 14.05.2018 reveals that the petitioner was convicted under Section 452/365/304-II/34 IPC and was sentenced to undergo Rigorous Imprisonment for eight years with fine ₹9,000/-. Crl.A.No.106/2001 was disposed of on 14.12.2017 and the conviction from Section 302 IPC was altered to Section 304-II IPC. It further records that the petitioner has already undergone six years, six months

and eighteen days incarceration besides remission for nine months and twenty six days as on 14.05.2018.

4. The petitioner has been granted parole by the competent authority vide order dated 22.03.2018 for four weeks.

5. The petitioner has not been released on parole as the co-convicts, namely, Sushil Kumar and Shahensher Pal are on parole till 19.05.2018 and 25.05.2018 respectively.

6. In the interest of justice and for the reasons mentioned in the application, the petitioner be released on parole in compliance of the order dated 22.03.2018 for a period of four weeks from the date of his release on the same terms and conditions and it should not be declined merely because the two co-convicts are on parole and have not yet surrendered.

7. Writ petition stands disposed of in the above terms.

S.P.GARG, J.

MAY 17, 2018 /sa