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

+ **W.P.(CRL) 1036/2018**

VICKY

..... Petitioner

Represented by: Ms. Aishwarya Rao, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for State with
Inspector Yogesh Tyagi and SI
Sanjeet, PS Paharganj.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.07.2018

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1. By this petition the petitioner seeks parole on the ground that he has to file special leave petition and also challenges order dated 12th February, 2018 whereby his application seeking parole was rejected. The reason for rejection of parole by the competent authority was multiple cases against the petitioner.

2. Learned counsel for the petitioner submits that the reason for rejection of the parole to the petitioner was incorrect for the reason the petitioner was involved in one another case only wherein he has undergone the imprisonment and thus the petitioner is suffering life sentence only in FIR No. 189/2010 under Sections 302/307/324/323/452/34 IPC registered at PS Pahar Ganj, Delhi. She further states that it is the constitutional right of the petitioner to file the special leave petition and thus parole be granted to the petitioner.

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3. A status report has been filed by the State indicating that besides the above noted FIR the petitioner was involved in nine other cases wherein as noted in the nominal role he has also been convicted in FIR No.98/2018 under Sections 307/302/34 IPC registered at PS Sadar Bazar.
4. It is further stated that the petitioner is a bad character of PS Pahar Ganj. A further status report has been handed over which is taken on record. As per the further status report the petitioner are four brothers out of which two are serving sentence in FIR No.189/2010. It is stated that the brother of the petitioner namely Surjeet @ Bacha was granted furlough by the competent authority and during the said period of furlough he involved himself in the murder of Shankey for which FIR No.98/2018 under Sections 307/302/34 IPC and 25 Arms Act has been registered at PS Sadar Bazar.
5. In view of the fact that this is the second conviction of the petitioner, first for offence punishable under Sections 307/34 IPC and the present one for offence punishable under Sections 307/302/34 IPC and besides the same number of other cases were also registered against the petitioner, this Court finds no ground to grant parole to the petitioner or hold the order of the competent authority rejecting the parole of the petitioner as an illegal order.
6. Petitioner can avail the facility of legal aid from Mandoli Jail to file the special leave petition.
7. Petition is dismissed.
8. Copy of the order be communicated to the petitioner through Superintendent, Mandoli Jail.

MUKTA GUPTA, J.

**JULY 30, 2018/‘vn’
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