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

+ W.P.(CRL) 1249/2018

CHANDER MOHAN SINGH RAWAT

..... Petitioner

Represented by: Mr. Rajesh Kumar and Mr.S.N.
Maurya, Advocates.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Rahul Mehra, Standing
Counsel and Ms. Kamna
Vohra, Additional Standing
Counsel for State.
Mr. Sanjeev Bhandari, Spl. P.P.
for CBI with Mr. Prateek
Kumar, Advocate.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.09.2018

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1. An affidavit of the Deputy Secretary, Home has been placed on record. As per the affidavit opinion of Law Department had already been received. As per the opinion since the trials were transferred to Delhi by the orders of Hon'ble Supreme Court though the offence took place at Uttarakhand and the petitioner and his co-convicts were convicted by the Additional Sessions Judge in Delhi, the Lieutenant Governor at Delhi had the power to grant parole even if the convicts have been transferred to jail at Uttarakhand to undergo the remaining sentence.

2. Learned Standing Counsel for the State has pointed out towards the order dated 8th June, 2018 whereby six co-convicts of the petitioner were

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directed to be released on parole, however, subject to the guideline that the co-convicts will not be released simultaneously except on special circumstances to be mentioned in the order granting parole.

3. Parole application of the petitioner was rejected on the ground that the petitioner had availed parole w.e.f. 16th February, 2018 to 4th March, 2018.

4. Learned Standing Counsel for State submits that since six months have elapsed from the surrender pursuant to the earlier parole availed by the petitioner, he would be at liberty to apply afresh for parole before the competent authority.

5. For the documents placed on record, this Court finds no error in the impugned order dated 8th June, 2018 passed by the competent authority rejecting the parole of the petitioner in view of his release from February to March, 2018. However, as stated by learned Standing Counsel for the State petitioner would be at liberty to file an application afresh seeking parole.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 14, 2018

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