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

+ **W.P.(CRL) 1305/2018**

MOHD. HARUN

..... Petitioner

Represented by: Ms. Ananya Roy, Advocate.

versus

STATE OF NCT DELHI

..... Respondent

Represented by: Mr. Piyush Singhal, Advocate
for Mr. Ashish Aggarwal, ASC
for the State SI Moolchand, PS
Okhla Industrial Area.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.05.2018

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1. By this petition, the petitioner seeks parole for a period three months on the ground he has to establish social ties and look after three children excluding his elder daughter who is already married as his wife has expired on 28th December, 2013.

2. The petitioner had earlier filed the petition before this Court seeking parole which was disposed of by this Court on 26th February, 2018 directing the competent authority to decide the representation of the petitioner within a period of two weeks. A status report has been handed over. As per the status report the application of the petitioner was disposed of by the competent authority vide order dated 17th April, 2018 and his prayer for parole was declined.

3. As per the status report it was found that the petitioner has four children including three daughters and one son. The son of the petitioner is

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eldest and aged 27 years old. The eldest daughter of the petitioner is married and there are two other daughters aged 18 years and 14 years. Though wife of the petitioner has expired about four years back, however, the son of the petitioner and the two other daughters are residing at H.No. RZ-506, Gali No. 24, Tuglakabad Ext. New delhi and are able to look after the home.

4. The son of the petitioner is working as a caterer in the hotel of his uncle and earning of ₹7,000/- per month.

5. As per the nominal roll, the petitioner was awarded sentence of rigorous imprisonment for a period of two years and a fine of ₹5,000/- in default whereof to undergo rigorous imprisonment for a period of two months.

6. During the course of trial the petitioner stayed in custody for less than one month and upon the dismissal in the appeal the petitioner surrendered on 3rd April, 2017 and is in custody since then. The Special Leave Petition filed by the petitioner has since been dismissed. The unexpired portion of the petitioner's sentence is now less than six months.

7. Considering the unexpired portion of sentence this Court finds no ground to grant parole to the petitioner.

8. Petition is dismissed.

MUKTA GUPTA, J.

MAY 21, 2018
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