

\$~18

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

+ **W.P.(CRL) 1906/2018**

ABDUL MAZID Petitioner

Through: Mr. Simon Benjamin (DHCLSC)

Versus

STATE Respondent

Through: Mr. Avi Singh, Additional Standing
Counsel and Ms. Purnmia Malik,
Advocate with SI Sunil Kumar, P.S.
Tuglaque Road.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **02.07.2018**

Crl. M.A. No. 11729/2018 (for exemption)

Allowed, subject to all just exceptions.

The application stands disposed off.

W.P.(CRL) 1906/2018

Issue notice.

Mr. Avi Singh, the learned Additional Standing Counsel accepts
notice for State.

At joint request, the petition is taken up for disposal.

This writ petition seeks release of the petitioner on parole for a period
of one month to enable him to arrange a suitable match for his daughters,
who, according to the petitioner, are of marriageable age and otherwise
require some care and attention at this crucial stage of their lives. The

learned counsel for the petitioner submits that the parole has been refused on the ground that it may have an adverse impact on the victim and he may jump the parole.

A perusal of the petitioner's Nominal Roll dated 25.05.2018 reveals that his conduct in jail has been satisfactory since the inception of his incarceration. The petitioner has already undergone incarceration for about four years out of the total sentence of five years of rigorous imprisonment. Furthermore, the petitioner had earlier been released on interim bail by this Court and was also granted parole, for one month each; he is stated to have not misused the liberty granted to him.

The petitioner has to take care of his children, whose rights would otherwise be affected. A person in long incarceration is entitled to parole in order to re-establish social and family ties and for his mental and physical well-being.

In view of the foregoing, the Court finds no impediment in allowing the present petition. Consequently, the petitioner is enlarged on parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.15,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent concerned subject to the following conditions:-

- (1) The petitioner shall report to the Station House Officer, concerned Police Station Tuglak Road, Delhi, once a week on every Tuesday during the period of parole.
- (2) He shall furnish his telephone number to the SHO concerned, which the petitioner shall keep operational at all times.
- (3) He shall not leave the territory of NCT of Delhi.

- (4) The petitioner shall surrender before the jail authorities at the expiry of the period of parole.
- (5) The petitioner shall neither contact the victim nor her family during the period of parole, nor shall he be in social gatherings with her.

With the above directions the writ petition is disposed off.

A copy of this order be given *dasti* to the learned counsel for the parties.

NAJMI WAZIRI, J.

JULY 02, 2018

sb