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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1848/2018**

RAJEEV @ DEEWAN JEE Petitioner
Through: Mr. Simon Benjamin, Advocate.

versus

GOVT. OF NCT OF DELHI Respondent
Through: Mr. Rajesh Mahajan, ASC (Crl.) with SI Harpal Singh, PS-Paharganj.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
% **11.06.2018**

CrI. M. A. No. 11390 (Exemption)

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W. P. (Crl.) 1848/2018

The present petition has been filed by the petitioner *inter alia* praying for issuance of writ of mandamus granting extension of parole to the petitioner for taking care of his ailing wife and newly born baby.

Learned ASC (Crl.) for the State appears on an advance notice and opposes the prayer made in the writ petition. He contends that the petitioner is Bad Character (BC) of Police Station – Khajuri Khas, Delhi and he has been involved in many cases. He further submits that on an earlier occasion, the petitioner jumped the parole and re-arrested on 15.06.2014 in another case and there is every apprehension of misuse the liberty, if so granted to him.

Status report has been filed by the State. As per the status report, the medical documents annexed with the writ petition got verified and found to be genuine.

Wife of the petitioner gave birth to a baby girl on 27.05.2018 and she is admitted at room No. 4 of Ward No. 38 under the treatment of Dr. Ashok. The baby is suffering from multiple skin lesion hepatomegaly suspecting congenital intrauterine infection, whereas wife of the petitioner is also admitted at said hospital since 27.05.2018.

Perusal of the nominal roll of the petitioner shows that he is undergoing rigorous imprisonment for life and fine for offence under Section 302/364 IPC in case FIR No. 452/2003 registered at Police Station–Paharganj.

The petitioner has already undergone 12 Years 09 months and 07 days of incarceration and also earned remission of 01 Year 06 months 02 days as on 10.06.2018. The jail conduct of the petitioner has been found unsatisfactory.

The appeal preferred by the petitioner was dismissed vide order dated 18.02.2013 of this Court.

Heard.

Keeping in view that the wife of the petitioner has given birth to a baby girl who is only two weeks old and that she has a serious medical problem, the present petition is allowed. The petitioner is directed to be released on parole for a period of two weeks on same conditions contained in order dated 27.04.2018 passed by the Dy. Secretary (Home)

Copy of this order be given dasti, as prayed.

A copy of this order be communicated to the Jail Superintendant concerned.

SANGITA DHINGRA SEHGAL, J

JUNE 11, 2018

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