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

+ W.P.(CRL) 1982/2018

ASHOK KUMAR

..... Petitioner

Represented by: Mr. Kumar Vaibhav, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Avi Singh, Additional Standing
Counsel for State with Mr. Tanuj
Bhadana, Advocate with SI Munna
Kumar, PS Delhi Cantt.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.11.2018

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1. By this petition, petitioner seeks parole on the ground that he has to file special leave petition, arrange funds for the same and also maintain social ties. He also challenges the communication dated 14th May, 2018 whereby his application seeking parole on the grounds aforesaid was dismissed.

2. As per the status report, family of the petitioner, comprising of his father, brother and sister, is residing at village Lohangi, PO Dhanpat Gang, District Sultanpur, Uttar Pradesh. Father of the petitioner works as a labourer and fulfils the needs of the family. There are no means as to how the petitioner would arrange funds if released on parole for filing the special leave petition. Petitioner was awarded sentence of actual life imprisonment by the learned Trial Court which was modified by this Court in an appeal to

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life imprisonment. As per the nominal roll, petitioner has been in custody for the last four years since the date of offence and the victim was a minor child aged four years. Since the special leave petition can also be preferred from the jail by the help of legal aid available in jail, in view of the decision of the Supreme Court in State (NCT of Delhi) vs. Ravi Kapoor, SLP (Crl.) No. 5607/2018 decided on 27th July, 2018, this Court finds no ground to grant parole to the petitioner.

3. Petition is dismissed.

4. Copy of the order be communicated to the petitioner, through Superintendent, Tihar Jail.

MUKTA GUPTA, J.

NOVEMBER 15, 2018

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