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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2064/2018

GOVIND

..... Petitioner

Through: Mr. S. K. Sethi and Ms. Dolly Sharma,
Advocates.

Versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan, Additional Standing
Counsel for State for SI Ramesh Kumar,
P.S. Sultanpuri.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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24.07.2018

The petitioner seeks parole for three months to exercise his constitutional right i.e. to prefer an SLP seeking acquittal of the conviction for which he is undergoing life imprisonment. He has been incarcerated for more than 5 years 10 months and 3 days on 23.07.2018; his conduct in jail is shown to be unsatisfactory for the past year in view of the punishments given to him in jail on 07.05.2015 and 09.10.2017 for having breached the rules of the Jail Manuals. For considering grant of parole, only latter punishment would be looked into. However, that by itself cannot be a reason for denial of parole because the petitioner seeks to exercise a fundamental right i.e. to file an SLP against the order of conviction. His address in Delhi has been verified. The Nominal Roll filed by the State is taken on record.

It is the petitioner's case that being fully acquainted with the facts of the case, he is best suited to engage a counsel of his choice and to brief to such counsel. Additionally, he needs to arrange for monies for filing of the SLP.

In view of the foregoing, the Court finds no impediment in allowing the present petition. Consequently, the petitioner is granted parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.20,000/- 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 (SHO), concerned Police Station Sultanpuri, 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) He shall surrender before the jail authorities at the expiry of the period of parole;

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. Additionally, a copy of this order shall also be delivered upon the Jail Superintendent concerned through police.

NAJMI WAZIRI, J.

JULY 24, 2018

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