

\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2287/2018, CRL.M.A. 29034/2018
RAM KUMAR @ RAJESH Petitioner
Through: Mr. Gaurav Gupta and Mr. R.V.
Prabhat, Advocates.

versus

< STATE Respondent
Through: Ms. Richa Kapoor, ASC with Ms.
Amita Sachdeva, Advocate with ASI
Inder Kumar, PS-Aman Vihar.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **01.08.2018**

This is yet another case of an order being passed by the Competent Authority rejecting parole to the petitioner, to attend to his daughter who is studying in class-VII and is suffering from eye cancer. Admittedly, the petitioner's daughter was diagnosed with the aforesaid ailment in February, 2018. Her medical documents were annexed to the application. However, the ground for rejecting parole on 28.05.2018 was that the petitioner had been out on bail in the months of December, 2017 and January, 2018. That by itself cannot necessarily be a ground for rejection of parole. The compelling medical exigency should have been taken into consideration

According to the Status Report submitted on behalf of the State, one eye of the petitioner's daughter has been operated upon. She is studying in class-VII in a government school.

The Court is of the view that the adolescent girl who has recently undergone such a major operation would require the assurance and presence of her father for some time while she is convalescing.

The Nominal Roll of the petitioner shows his conduct in Jail as satisfactory. He has also been granted bail thrice and parole once. He has never misused the liberty granted.

In view of the above, the Court finds no impediment in allowing the present petition. Consequently, the petitioner is granted parole for a period of one month 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 SHO, concerned Police Station Aman Vihar, 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.

With the above directions the Writ Petition is disposed-off.

A copy of the order be sent to the Head of the Department of Home, Government of NCT of Delhi and the Additional Chief Secretary, GNCTD for information and appropriate action so that reasoned orders, based on the records, are passed.

A copy be also given *dasti* to the learned counsel for the parties.

NAJMI WAZIRI, J

AUGUST 01, 2018/RW