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

+ **W.P.(CRL) 2776/2018**

SUNIL NAYAK @ FUNDI

... Petitioner

Represented by: Mr.Pankaj Sinha with Mr.Sanjay
Upadhyay and Mr.G.Singh,
Advocates

versus

STATE

... Respondent

Represented by: Ms.Kamna vohra with Ms.Sarabjeet
Kaur and Ms.Pooja Malhotra,
Advocates
Insp. Rajesh Kumar, PS Sarai Rohilla

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
25.10.2018

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By this petition the petitioner seeks parole on the ground that he has to look after his ailing brother who is suffering from liver ailment.

A Status Report has been filed. As per the Status Report, during the course of inquiry statement of the brother of the petitioner namely Arun Nayak was recorded who stated that he was ill six months back and for the last two months he was feeling well and driving his auto rickshaw. As per the record, Arun Nayak had attended the medicine department of Bhagwan Mahavir Hospital, Pitam Pura, Delhi on 27th February, 2018, 7th August, 2018 and 7th September, 2018 which shows that only OPD treatment was

being given to the brother of the petitioner.

A fresh Nominal Roll has been handed over which is taken on record. As per the said Nominal Roll the petitioner has already availed three weeks furlough in this year w.e.f. 15th February, 2018 to 8th March, 2018. Further, he was granted furlough for a period of 13 days w.e.f. 19th July, 2018. The petitioner having already availed furlough at the relevant time and the brother of the petitioner not now suffering from any ailment, this Court finds no ground to grant parole to the petitioner.

Petition is dismissed.

A copy of this order be communicated to the petitioner through Superintendent, Mandoli Jail.

MUKTA GUPTA, J.

OCTOBER 25, 2018
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