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

+ **W.P.(CRL) 2850/2018**

KUNDAN SINGH Petitioner
Through: Mr. Akshay Bhandari, Advocate.

Versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through: Mr. Sanjay Lao, Additional Standing
Counsel with Ms. Hemlata Rawat and
Mr. Siddharth Sindhu, Advocates with
Inspector Ajit Kumar,P.S. Mehrauli.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **10.10.2018**

Issue notice.

Mr. Lao, the learned Additional Standing Counsel accepts notice on behalf of the State.

The petitioner seeks parole for filing a Special Leave Petition in exercise of his constitutional right to seek acquittal against the conviction for which he is undergoing incarceration. His application seeking the same relief was rejected by order dated 11.07.2018 on the ground of his unsatisfactory conduct for the last one year, on account of him being punished on 19.09.2017 and 23.09.2017, for violation of certain rules of Jail Manual. The said period is over now.

The learned counsel for the petitioner submits that the petitioner will be the best person to choose, brief and assist a counsel to file and present his

case before the Supreme Court and that he also has to make arrangements of funds for the same. He submits that the petitioner has been incarcerated for about 11 years.

Be that as it may, insofar as the petitioner seeks to exercise his constitutional right, the Court finds no impediment in allowing the present petition. Accordingly, the petitioner is enlarged on parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.10,000/- 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 Mehrauli, 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) The petitioner shall surrender before the Jail Authorities at the expiry of the period of parole.

With the above directions, the writ petition stands disposed-off.

A copy of this order be given *dasti* to the learned counsel for the parties and a copy be sent to the Jail Superintendent concerned, for compliance.

NAJMI WAZIRI, J.

OCTOBER 10, 2018

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