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

+ W.P.(CRL) 2948/2018

AVINASH KUMAR

..... Petitioner

Represented by: Mr.Puneet Garg, Advocate

versus

STATE

..... Respondent

Represented by: Ms.Nandita Rao, ASC for the State

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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03.10.2018

1. By this petition, the petitioner seeks parole on the ground that he has to undergo surgery to remove the nail which was grafted in the year 1991 when the petitioner suffered a fracture of the shaft of the femur. As the said nail is now paining and needs to be removed, medical documents in this regard from DDU Hospital have been placed on record and have been verified by the State.

2. A status report has been handed over, which is taken record. As per the status report, it has been verified that the family of the petitioner comprising of his wife and two sons are residing at House No.49, Block B, Kaushik Enclave, Street No.20, Burari, Delhi.

3. The appeal filed by the petitioner was dismissed on 14th February, 2017 and in the year 2018, the petitioner has already availed parole for a

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period of six weeks with effect from 5th June, 2018 till 17th July, 2018 for filing the special leave petition. However considering the present ailment and the fact that the petitioner is desirous to undergo surgery at a private hospital at his own expense, this Court deems it fit to grant parole to the petitioner. It is, therefore, directed that the petitioner be released on parole for a period of four weeks on his furnishing a personal bond in the sum of ₹25,000/-with one surety bond of the like amount to the satisfaction of the learned Trial court further subject to the condition that if the surgery is not performed within 2 weeks of the release from the jail, the petitioner will surrender back to custody.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

OCTOBER 03, 2018

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