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

+ **W.P.(CRL) 2965/2018**

RAM AVTAR

..... Petitioner

Through: Mr. Sunil Sharma, Advocate.
(DHCLSC)

versus

STATE

..... Respondent

Through: Ms. Nandita Rao, ASC (CrI.) GNCTD
with SI Dharmendra, PS-Shahdara.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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01.10.2018

The petitioner seeks parole for attending to his ailing 80 year old mother as well as to re-establish social ties with his family members and society and arranging funds for the same.

The parole was not granted by the State to the petitioner on the ground that he had also availed parole for four weeks during the month of January and February, 2018 i.e. w.e.f. 20.01.2018 to 17.02.2018. The order of the State was passed on 10.09.2018; more than six months had since passed; it is a clear non-application of mind. The petitioner's need for attending to his 80 year old ailing mother cannot be anything but an exigency for which the application should have been considered favourably.

The learned Additional Standing Counsel for the State submits, upon instructions from the Investigating Officer, that the petitioner's residential address, as furnished by him, has been verified. The Nominal Roll shows that his conduct in jail has been satisfactory. He has been incarcerated for

more than 2 years 9 months and 26 days and earned remission for 8 months and 23 days as of 17.09.2018.

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 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, Shahdara, 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.

In view of the above, the Writ Petition is disposed-off.

A copy of this order be delivered upon the Jail Superintendent concerned through the State.

NAJMI WAZIRI, J

OCTOBER 01, 2018

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