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

+ W.P.(CRL) 3016/2018

RAM SAGAR @ SAGAR

..... Petitioner

Through: Ms. Inderjeet Sidhu, Adv.

versus

STATE

..... Respondent

Through: Mr. Rajesh Mahajan ASC-State with
Ms. Jyoti Babbar, Adv.
IO SI Naveen, PS Najafgarh

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **03.10.2018**

The petitioner seeks parole. The application was rejected on the ground that he had enjoyed furlough of three weeks in the month of July-August, 2018. The reason for rejection shows confusion in the comprehension of the concept behind furlough and parole; the former was granted to the petitioner on account of his satisfactory conduct in jail. In other words, he had earned furloughs; whereas in the latter case, the petitioner seeks release from the jail for the reasons mentioned in the application i.e. to take care of his aged parents and wife as well as to re-establish social ties with society. Therefore, the rejection of the application is unsustainable.

The Court would note that the punishment awarded to the convict is primarily reformatory in nature and not retributive.

The petitioner's Nominal Roll shows that he is a life convict and has

been incarcerated for a period of 8 years, 11 months and 13 days as on 18.09.2018. He has earned remission of 1 year, 7 months and 25 days. He has been granted furlough and parole on various occasions but he has never misused the liberty granted. His overall conduct in jail is stated to be satisfactory. The address of the petitioner is the same as when he was released on parole and furlough earlier.

In view of above, the petitioner is granted 30 days parole from the date of his release subject to furnishing a personal bond of Rs. 10,000/- with a surety of the like amount subject to the following conditions:-

- (1) The petitioner shall report to the SHO, concerned Police Station Najafgarh, 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 the order be given *dasti* to the learned counsel for parties under signature of the Court Master. Additionally, a copy of this order be sent to the Jail Superintendent, Tihar Jail and to the Principal Secretary (Home), for information and appropriate action.

NAJMI WAZIRI, J

OCTOBER 03, 2018/NR