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

+ W.P.(CRL) 2388/2017

SUNIL KUMAR

..... Petitioner

Represented by: Mr. Dinesh Malik, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Ashish Negi and Ms.
Sushila, Advocates for Ms.
Richa Kapoor, Additional
Standing Counsel for State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2018

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1. By this petition the petitioner challenges the order dated 25th July, 2017 whereby grant of parole sought on the ground for arranging funds for engaging senior counsel to file Special Leave Petition and to maintain social ties was rejected. The reason for rejection of parole was that the conduct of the petitioner in the prison was unsatisfactory having been awarded punishments on 14th January, 2015 and 5th February, 2017.

2. On a notice being issued a status report has been handed over which is taken on record. As per the status report it has been verified that the petitioner has seven brothers and one sister who are residing at the given address. Father of the petitioner has since passed away and the mother of the petitioner is residing with the wife of the petitioner at the same address. The family of the petitioner also consists of his two children besides wife.

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As per the status report the petitioner is involved in 18 cases and the possibility of his jumping the parole cannot be ruled out.

3. Nominal roll has been sent by the Superintendent, Tihar Jail. As per the nominal roll, besides the two punishments received by the petitioner in jail on 14th January, 2014 and 15th February, 2017 the petitioner has been convicted in another case being FIR No. 220/2012 under Section 25 Arms Act at PS Bharat Nagar, New Delhi and sentenced to undergo rigorous imprisonment for a period of three years with fine of ₹5,000/- in default whereof to undergo imprisonment for a period of one week. Besides the conviction for offence punishable under Section 25 Arms Act, in the present case also the petitioner has been convicted for offences punishable under Sections 392/397/413/43 IPC and Sections 25 Arms Act. As per the nominal roll the petitioner is involved in three other cases.

4. Considering the propensity of the petitioner and his unsatisfactory conduct in jail, no interference is warranted in the communication dated 25th July, 2017 rejecting the application of the petitioner seeking parole.

5. Petition is dismissed.

6. Copy of the order be communicated to the petitioner through Superintendent, Tihar Jail.

MUKTA GUPTA, J.

FEBRUARY 27, 2018
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