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

+ **W.P.(CRL) 3228/2018**

VIJAY

..... Petitioner

Represented by: Mr. Rabi Dabas, Adv.

versus

STATE

..... Respondent

Represented by: Ms. Nandita Rao, ASC for State with
SI Naveen PS Kanjhawala.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.11.2018

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By this petition the petitioner seeks modification of the communication dated 5th October, 2018 by which though granted parole but for a period of 12 days only. The petitioner thus seeks further period of parole and also waiver of the condition that the said order would be operative after the co-convicts surrender, besides the condition that the parole will be effective from 16th November, 2018.

Learned counsel for the petitioner states that the marriage of the petitioner's son is fixed for 19th November, 2018 and thus his presence at the time of the marriage of his son is required; however his two brothers namely Praveen and Sanjay, petitioners in W.P.(CRL) Nos. 3229/2018 and 3250/2018 respectively have also sought parole and thus only one of them will be able to avail the said parole in view of the directions passed in the impugned order.

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On a notice being issued status report has been handed over which is taken on record. As per the status report the factum of the marriage of the petitioner's son being fixed on 19th November, 2018 has been verified. The family of the petitioner has been found residing in the jurisdiction of PS Kanjhawala.

Considering the fact that the marriage of the petitioner's son has to be solemnised, this Court deems it fit to partially modify the order dated 5th October, 2018 passed by the GNCTD and also the condition that the parole is with effect from 16th November, 2018. With the other conditions remaining the same, petitioner be released on parole for a period of three weeks from the date of release on the terms as per order dated 5th October, 2018 and the release of the co-convicts shall have no bearing on the release of the petitioner.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 12, 2018
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