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

+ **W.P.(CRL) 3340/2018**

ANIL KUMAR

..... Petitioner

Represented by: Mr. Anwesh Madhukar, Mr. Pranjal
Shekhar, Advs. DHCLSC

versus

STATE

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with SI
Dharmender PS S.P. Badli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.12.2018

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By this petition the petitioner seeks parole on the ground that he has to file a special leave petition and also challenges the communication dated 25th September, 2018 whereby his application seeking parole on the ground aforesaid was rejected.

A perusal of the nominal roll reveals that the petitioner was convicted for offences punishable under Sections 376/506-II IPC and awarded imprisonment for life. The appeal filed by the petitioner was disposed of by this Court by reducing in default sentence from rigorous imprisonment for a period of two years to rigorous imprisonment for a period of six months. The petitioner was out on suspension of sentence with effect from 2nd February 2007 to 18th July, 2018 when he surrendered after the dismissal of appeal on 29th May, 2018. It is apparent that the appellant surrendered

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only after 51 days from the dismissal of the appeal which time he could have utilized for filing the special leave petition.

Consequently, this Court finds no ground to grant parole to the petitioner. The petitioner would be at liberty to file a special leave petition from the legal aid provided in the jail.

Petition is dismissed.

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

MUKTA GUPTA, J.

DECEMBER 07, 2018
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