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

+ W.P.(CRL) 3400/2017

RAMAN KUMAR Petitioner

Through: Mr Sumeet Verma and Mr Aman
Choudhary, Advs

versus

STATE Respondent

Through: Mr Rahul Mehra, SC with Mr Jamal
Akhtar and Mr Chaitanya Gosain,
Advs for State with SI Ishvar Singh

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **08.01.2018**

Petitioner is seeking parole for the reasons as mentioned in the petition. The application of the petitioner had been rejected by the competent authority for the reason that as for the parole guidelines (11.1 of Parole/Furlough Guidelines 2010) the convict must have served at least one year in prison excluding any period covered by remission before he can be considered for parole; the petitioner had not fulfilled this criteria. Learned counsel for the petitioner points out that as on date this position is factually incorrect and this is clear from the nominal roll.

Learned counsel for the State does not dispute this submission. His submission is that the conduct of the petitioner was dissatisfactory and this is clear from the nominal roll for which the punishment has been awarded to him. The punishment had been awarded to the petitioner for the reason that he had beaten up his

fellow inmate of his cell on 17.04.2017.

Petitioner had been convicted by the trial court under section 302 IPC; in an appeal this court had modified his conviction under Section 304 – Part I. He had been sentenced to RI for 6 years. The Nominal roll reflects that the petitioner has undergone more than 5½ years which includes the remission earned by him. He is seeking parole for the purposes of filing the SLP as also for reconnecting himself with the social strata. It is a fit case where the prayer made by the petitioner should be granted. Accordingly, the petitioner be released on parole for a period of three weeks to be counted from the date of his release on his furnishing a personal bond in the sum of Rs.10000/- with two surety of like amount subject to the satisfaction of Jail Superintendant concerned with condition that the petitioner shall report to the local SHO on every Monday of each week and surrender immediately himself to the Jail on the expiry of the aforementioned parole period of three weeks. He will give his contact number as also his latest residential address to the Investigating Officer.

Petition disposed of.

A copy of the order be sent to Jail Superintendant concerned for intimation to the petitioner.

Order *dasti*.

INDERMEET KAUR, J

JANUARY 08, 2018 / SU