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

+ W.P.(CRL) 3241/2019

NARESH GUPTA

..... Petitioner

Through: Mr Prashant Mehta, Ms Vasundra and
Mr Dhruv Chawla, Advocates.

versus

STATE

..... Respondent

Through: Mr Amanpreet Singh, Advocate for
Mr Rahul Mehra, Standing Counsel
for State with SI Bharat Singh, PS
Seemapuri.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.11.2019

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 29.08.2019 passed by the competent authority, whereby the petitioner's application for further extension of the parole granted to him was rejected.
2. The learned counsel appearing for the petitioner states that a plain reading of the impugned order indicates that the petitioner's application for parole had been rejected on the ground that the petitioner had already availed ten weeks parole in the present conviction year. The details of the parole and furlough availed by the petitioner from 16.07.2018 till 15.08.2019 have also been listed in the impugned order dated 29.08.2019. The learned counsel appearing for the petitioner states that the conviction

year starts from the 30th July of each calendar year and therefore, the petitioner has only availed twenty days parole of the present conviction year, Thus, the impugned order recording that the petitioner has already availed of ten weeks' parole is, *ex facie*, erroneous.

3. The learned ASC appearing for the State also concurs that there may be some error in the said order.

4. In view of the above, the impugned order is set aside and the matter is remanded to the competent authority to consider the petitioner's application afresh, within a period of four weeks from today.

5. The petition is disposed of.

VIBHU BAKHRU, J

NOVEMBER 20, 2019
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