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

\+ W.P.(CRL) 98/2019

PAWAN @ MAMA ..... Petitioner

Through: Mr. Biswajit Kumar Patra, Advocate.

Versus

STATE ..... Respondent

Through: Ms. Amita Sachdeva, Advocate for Ms. Richa Kapoor, ASC for State with SI Kuldeep Singh, PS-Subhash Place.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

O R D E R

% 15.01.2019

The petitioner seeks parole to grieve with his family the demise of his maternal aunt with whom he claims to have spent most of his childhood and had a special emotional bond with her. It is also his case that his father and mother aged 75 and 70 years respectively are ailing from various diseases. The petitioner's wife and his two minor children aged 11 and 16 years are not able to manage the affairs of his home and his presence is not only for his personal psychological relief but also a necessity for his family. The factum of the demise of his aunt and his address have been verified. The parole has been rejected by the State on the ground that since the petitioner had availed parole in the months August-September, 2018, therefore another application could not be considered before the passage of six months.

The Court is not persuaded by the said reason.

The petitioner is serving a life sentence; he has been incarcerated for

almost 11 years; he has been granted parole thrice before and has never misused the liberty.

In view of the foregoing, the Court finds no impediment in allowing the present petition. Consequently, the petitioner is granted parole for a period of four weeks from the date of his release on his furnishing a personal bond in the sum of Rs.15,000/- with one surety of the like amount to the satisfaction of the Jail Superintendent concerned subject to the following conditions:-

(1) The petitioner shall report to the SHO, concerned Police Station, Subhash Place, Delhi, once a week, on every Tuesday during the period of parole.

(2) He shall furnish his telephone number to the SHO concerned, which the petitioner shall keep operational at all times

(3) He shall not leave the territory of NCT of Delhi.

(4) The petitioner shall surrender before the jail authorities at the expiry of the period of parole.

With the above directions the Writ Petition is disposed-off.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master. Additionally, a copy be also served to the Jail Superintendent through the police.

NAJMI WAZIRI, J

JANUARY 15, 2019
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