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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 308/2019

SHAHEEN ZARGAM

..... Petitioner

Through: Mr. Irfan Firdous & Mr. Intikhab alam,
Advs.

versus

THE STATE GNCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao, ASC.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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05.02.2019

The petitioner seeks parole to attend to his brother who is suffering from cancer of the mouth. He has recently attended to the brother's medical exigencies, while he was out on parole to attend the marriage of his niece.

Ms. Rao, the learned counsel for the State, submits upon instructions that the brother of the petitioner is undergoing chemotherapy and while the sons of the brother are running the family business. One son, who is undergoing judicial custody, too has moved an application seeking parole on the same ground i.e. for the medical attention of the brother/ father. However, it is not known whether the said son has assisted the father in medical care. The petitioner's conduct in jail has been satisfactory. He has earlier been granted parole and furlough on 14 occasions 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 enlarged on parole for a period of three weeks from the date of his release on subject to 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 once a week on every Tuesday during the period of parole.
- (2) He shall furnish his telephone number, which he undertakes to keep operational at all times, to the SHO concerned.
- (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.

For the sake of clarity, the petitioner's brother, for whose care the petitioner has been granted parole, shall furnish an affidavit within a week from today specifying as to whom he would like to assist him during the period of chemotherapy i.e. whether the petitioner or his own son.

A copy of this order be given *dasti* under the signatures of Court Master to the learned counsel for the parties.

A copy of this order shall also be delivered upon the Jail Superintendent concerned through the State.

NAJMI WAZIRI, J

FEBRUARY 05, 2019/kk