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

Judgment delivered on 09.12.2019

W.P.(CRL) 2470/2019

PARVEZ AHMED MIR

..... Petitioner

Through Mr. Mayank Mikhail
Mukherjee, Advocate from
DHCLSC.

versus

STATE (NCT OF DELHI)

..... Respondent

Through Mr. Jamal Akhtar and Mr.
Anand, Advocates for Mr.
Rahul Mehra Standing
Counsel(CrI.) for State with SI
Pankaj Kumar from Spl. Cell
/NDR

**CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI**

J U D G M E N T

BRIJESH SETHI, J.(Oral)

1. Ld. Counsel for the petitioner has prayed for parole for a period of three months on the ground of re-establishment of Social ties with family and society. It is submitted that petitioner is in

custody since 31.08.2003 and since then, he has never availed any benefit of interim bail, parole or furlough.

2. Ld. APP for the State has opposed the petition and submitted that earlier one co-convict was released on parole but he had not surrendered and jumped the parole. He had joined a terrorist organization and died in an encounter on 26.12.2017 at Samboora, Jammu & Kashmir. It is further submitted that as per provisions of Delhi Prison Rules 2018, in the following cases, parole shall not be granted, except, if in the discretion of the competent authority special circumstances exist for grant of parole:

- Rule 1211(1)-Prisoners convicted under sedition, terrorist activities and NDPS Act.
- Rule 1211(11)-Prisoners whose immediate presence in the society may be considered dangerous or otherwise prejudicial to public peace and order by the District Magistrate of his home district or there exists any other reasonable ground such as a pending investigation in a case involving serious crime. The convict has been convicted in case of involvement in terrorist activities with Jaish-e-Mohammad(JeM)

3. In view of the above facts appearing on record and keeping in mind the fact that petitioner has been convicted for an offence under Section 3/4/20 POTA read with 121/121A/122/123 IPC &

4/5 Explosive substance Act and sentenced to life imprisonment, the court is of the opinion that no grounds for grant of parole are made out. The petition is, therefore, dismissed.

BRIJESH SETHI, J

DECEMBER 9, 2019

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