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

+ **W.P.(CRL) 2873/2019**

**BIPLAV BISWAS**

..... Petitioner

Through: Ms Neha Kapoor and Mr Mohit  
Bhadu, Advocates.

versus

**STATE OF NCT OF DELHI**

..... Respondent

Through: Mr Jamal Akhtar with Mr Amanpreet  
Singh, Advocates for Mr Rahul  
Mehra, Standing Counsel for State.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

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**16.10.2019**

**CRL.M.A. 37824/2019**

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, seeking parole for a period of three months. The petitioner was convicted of offences under Sections 302/365/364A/392/212/120B/34 of the IPC and was sentenced to serve rigorous imprisonment for life. The petitioner was also imposed a fine of ₹3,10,000/-, and in default, directed to serve a further period of three years and six months. The petitioner had preferred an appeal against his conviction (Appeal No.681/2017), which was dismissed by this Court on 31.05.2019. The petitioner seeks parole for the purpose of filing a SLP against the aforesaid judgment before the Supreme Court.

3. The petitioner's application for parole was rejected, principally, on

the ground that the petitioner had been convicted of a heinous crime and it is apprehended that if released, he would jump the parole.

4. It is seen that the petitioner has already served a period of nine years eight months and twenty five days in custody (as on 10.10.2019). He is also entitled to remission of a period of eight months and twenty-five days. The nominal roll indicates that his conduct in jail has been satisfactory. The three other co-accused are also in custody.

5. Keeping the aforesaid circumstances, this Court considers it apposite to direct the respondent to release the petitioner on parole for a period of four weeks from the date of release. This is subject to the petitioner furnishing a Personal Bond in the sum of ₹50,000/- and a surety of an equivalent amount to the satisfaction of the Jail Superintendent. This is subject to the following further conditions:

- (a) The petitioner shall report to the concerned SHO on every Monday.
- (b) The petitioner shall furnish his mobile number to the Jail Superintendent, as well as the SHO concerned, and shall ensure that the same is kept active through his period of parole.
- (c) The petitioner shall also ensure that he makes no effort to contact the victim or come in any way near the vicinity of where she resides.
- (d) The petitioner shall not leave the National Capital Territory of Delhi.

6. The respondent is also directed to inform the family of the victim, regarding the release of the petitioner on parole. They shall be provided a mobile number where they can reach the concerned SHO, in case of any

untoward incident.

7. The petition is disposed of in the aforesaid terms.
8. Order *dasti* under signatures of the Court Master.

**VIBHU BAKHRU, J**

**OCTOBER 16, 2019/MK**