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

+ **W.P.(CRL) 2913/2019**

MANOJ

..... Petitioner

Through: Mr Salman Hashmi, Advocate
(DHCLSC).

versus

STATE

..... Respondent

Through: Mr Avi Singh, ASC for State with Ms
Purnima Malik, Advocate for R-1.
SI Pardeep, PS Begumpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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15.10.2019

CRL.M.A. 38169/2019

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 06.09.2019 rejecting the petitioner's application for parole. A plain reading of the impugned order indicates that the petitioner's request was rejected on the ground that his conduct in prison was reported to be unsatisfactory.

3. In terms of Rule 1210(II) of the Delhi Prison Rules, 2018, parole cannot be granted to a prisoner who has been awarded punishment, for a specified period. In case of a major punishment, parole cannot be granted for a period of two years from the date of the prisoner's misconduct and in case

of a minor, offence parole cannot be granted for a period of one year from the said date.

4. In the present case, the nominal roll furnished by the jail authorities indicates that on 10.11.2018, 200 grams of tobacco was recovered from the sole of the shoes of the petitioner. In view of the above, he was awarded punishment. In view of the above, in terms of Rule 1210(II) of the Delhi Prison Rules, 2018, the petitioner's application for parole was rightly rejected. This Court finds no reason to interfere with the impugned order. The petition is, accordingly, dismissed.

5. The order be sent to the jail authorities to be communicated to the petitioner.

VIBHU BAKHRU, J

OCTOBER 15, 2019
MK