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

+ W.P.(CRL) 3104/2019

KIRAN

..... Petitioner

Through: Mr Tahir Ashraf Siddiqui, Advocate
(DHCLSC).

versus

STATE

..... Respondent

Through: Ms Nandita Rao, ASC for Mr R. S.
Kundu, ASC (CrI.), GNCTD with SI
Vishan Kumar, PS Crime Branch.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.11.2019

1. The petitioner has filed the present petition, *inter alia*, praying that the petitioner be released on parole.
2. The petitioner was convicted of an offence under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the was awarded ten years rigorous imprisonment with a fine of ₹1 lakh and in default, directed to serve simple imprisonment for a period of 6 months.
3. The petitioner has filed the present petition seeking parole on the ground that all her sons have expired and three minor children of one of her expired sons has been abandoned by his widow. It is stated in the petition that the said children are not going to school and the petitioner requires parole to enrol them for private tuitions, in order to enable them to join the mainstream. In addition, she states that the roof of the house is leaking and

requires urgent repairs.

4. The nominal roll indicates that the petitioner has already undergone physical custody of seven years five months and twenty six days. Her conduct in the last one year has been satisfactory. The petitioner was awarded the punishment on 27.11.2017 on account of argument and misbehaviour with the jail staff. However, there is no complaint regarding her conduct, thereafter. The petitioner was also released on parole on five previous occasions and there is no allegation that she has misused the liberty.

5. The status report has been filed and the facts stated by the petitioner have been verified.

6. In view of the above, the present petition is allowed and the petitioner is directed to be released on parole for a period of four weeks from the date of her release, subject to the petitioner furnishing a Personal Bond in the sum of ₹10,000/- and a surety of an equivalent amount to the satisfaction of the Jail Superintendent. She would provide her contact details to the jail authorities and ensure that she is reachable at all times. She shall not travel outside the National Capital Territory of Delhi.

VIBHU BAKHRU, J

NOVEMBER 05, 2019
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